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HISTORICAL MANUSCRIPTS COMMISSION.

ELEVENTH REPORT, APPENDIX, PART VI.

THE

MANUSCRIPTS

OF THE

DUKE OF HAMILTON, K.T.

Presented to both Houses of Parliament by Command of Her Majesty.

LONDON:

PRINTED FOR HER MAJESTY'S STATIONERY OFFICE,
BY EYRE AND SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.

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1887.

[C.—5060.–v.] *Price* 1*s.* 6*d.*

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THE CHARTERS AND MISCELLANEOUS HISTORICAL PAPERS OF HIS GRACE THE DUKE OF HAMILTON, ETC., ETC., K.T., IN HAMILTON PALACE, IN THE COUNTY OF LANARK.

The documents referred to in this Report form only a portion, and that, perhaps, the least interesting portion of the large and valuable collection of papers in Hamilton Palace. The historical treasures preserved there were so far made known in 1847 by a descriptive catalogue of them, which in that year was printed by the Maitland Club, as Vol. IV., Part I., of their Miscellany. The catalogue in question became the property of Mr. George Chalmers, author of "Caledonia," and at the sale of his library, after his death, it was purchased on behalf of the Maitland Club. Their print of it was edited by Mr. Joseph Robertson, then editor of the "Glasgow Constitutional."

That catalogue, besides brief notices of some of the papers now reported on, refers to a very extensive and valuable series of Royal letters, and State and official correspondence addressed to or connected with the members of the family of Hamilton, from the time of King James V. and the Regent Arran until after the union of England and Scotland. That correspondence, however, is not included in this Report, which is devoted more especially to the charter muniments of the family of Hamilton, showing their rise in Scotland, their increase of territory, and their royal alliance, which at one period made them nearest heirs to the Crown. A numerous series of bonds of manrent granted by some of the most powerful barons of Scotland are also given, not only as interesting in themselves, but as indicative of the manner in which the influence of a powerful nobleman was then courted and maintained. Several other documents of a more miscellaneous description, all of a more or less historical bearing, are also included in this Report, which thus comprises that portion of the Hamilton collection which does not partake of an epistolary character, the correspondence and the papers to which it relates being reserved for another and fuller Report.

The charters and other muniments thus generally enumerated do not bear date earlier than the year 1315, which is the date of the oldest charter of the lands of Hamilton now in the charter chest. The charters here given, *e.g.*, Nos. 1–30, are only a selection of the whole muniments relating to the lands, which, after the year 1542, assume merely the ordinary course of a feudal progress of titles. The other charters here reported on, *e.g.*, Nos. 30–57, refer to the families of Stewart of Bute and Dalyell of Bracanrig, a branch of the Dalyells of that Ilk, some of whose possessions were acquired by one of the Earls of Arran.

The origin of the family of Hamilton, which rose to such a height of power in Scotland, is like that of many other noble families in Scotland involved in obscurity. The subject has given rise to discussion, and while it would be foreign to the object of this Report, which is only descriptive of the Hamilton muniments, to enter into a dissertation as to the origin of

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the Hamilton family, a short notice of the earliest members of it may be given. The earliest known member of the family is the Walter Fitz-Gilbert to whom, and to his wife Mary Gordon, King Robert Bruce granted a charter of Machan, in 1315 [No. 1 *infra*]. His son was named David Fitz-Walter, and his grandson, also named David, is the first to whom the surname of Hamilton is applied by King Robert II. in a charter dated in 1375 [No. 5 *infra*]. Genealogists have given to Walter Fitz-Gilbert a descent from the family of Bellamont, Earls of Leicester, through a younger son of the third Earl, and tradition supplies a fabulous story of Sir Gilbert Hamilton and his escape from England to Scotland in 1323. This descent is imaginary, and Walter Fitz-Gilbert was settled in Scotland long previous to that year. But his ancestry still remains a mystery, though the most plausible suggestion is that he belonged to a Northumbrian family. About the year 1209, Roger and Robert de Hameldon appear in Northumberland, the first having dealings with the Abbot of Kelso, and it has been supposed that they or others of the name of Hameldon in England were probably the ancestors of the Scottish house of Hamilton. It may be doubted, however, whether this alleged descent is to be accepted. It does not appear that Walter Fitz-Gilbert bore the surname of Hamilton, which as stated was first applied to and apparently first assumed by his grandson David about the year 1375. On the other hand, the Northumbrian origin of the family is probable, as Fitz-Gilbert frequently appears as a surname in Northumbrian records. A Walter Fitz-Gilbert appears in 1201. His wife was Emma de Umfraville, and he was dead before 1207, when his widow was again sought in marriage, and gave her hand to Peter de Vaux. Gilbert de Umfraville, one of the great baronial family of that name, and a Walter Fitz-Gilbert appear side by side as witnesses of the Confirmation Charter by King Malcolm the Fourth to the Abbey of Dunfermline about the year 1155. The Umfravilles, as evidenced by their seals and by heraldic works, equally with the old Earls of Leicester, bore a single cinquefoil on their shield. The origin of the three cinquefoils in the Hamilton escutcheon may, perhaps, be traced to this source, and as already indicated the Northumbrian Fitz-Gilbert married an Umfraville. This heraldic fact tends to confirm the alleged Northumbrian descent of the Hamiltons.

Walter Fitz-Gilbert was resident in Scotland so early as 1294. On the 10th January in that year, with other barons, he witnessed a charter by James Steward of Scotland to the monks of Paisley, granted at Blackhall in Renfrewshire. A few years later, about 1300, along with John Maxwell of Nether Pollok, Sir Alan of Glasford, and others, he witnessed a charter to the same monks by Sir Herbert Maxwell. On 28th August 1296, he with other barons whose lands lay in the counties of Lanark and Renfrew paid homage to King Edward I. at Berwick, and in the Ragman Roll is described as "Wauter fiz Gilbert de Hameldone." In 1306, he is mentioned as having a grant from the English King of the lands of Ughtrotherestrother (now Crawford Priory) in Fife, which, however, were claimed by Thomas de Grey.

Walter Fitz Gilbert remained faithful to the English interest until the battle of Bannockburn, if, as is probable, he is the person referred to by Barbour, who states that "Schyr Waltre Gilbertson" was then captain of the castle of Bothwell. After Bannnockburn, the Earl of Hertford and other Englishmen sought safety at Bothwell, as it was held for the English, but the Earl only and fifty of his men were admitted over the wall and made prisoners by the garrison, who soon after surrendered their captives and the castle to Edward Bruce and a detachment of the

Scottish army. For this or other services Walter Fitz Gilbert, like so many other Scotsmen who had been of the English party, was received into favour, and received from King Robert the Bruce, more than one grant of land. The lands of Machan were bestowed the year following Bannockburn, [No. 1 *infra*], and in 1323 the King granted the barony of Kinneil in the county of Linlithgow, with Larbert and Auldcathy [No. 2 *infra*]. The barony of Kinneil is still a part of the extensive possessions of the present Duke of Hamilton, the descendant of Walter Fitz Gilbert.

These charters are granted to Walter Fitz Gilbert and his wife Mary Gordon, but it would appear he was twice married, as in 1320, while making a gift of vestments to the church of Glasgow, he mentions not only his living wife Mary, but his deceased spouse Helen. Walter Fitz Gilbert also received a feu of the lands of Cadzow in Lanarkshire, as narrated in the charter [No. 3 *infra*] by King David II. to Walter's son, David Fitz Walter. David Fitz Walter was the elder of two sons, as he had a younger brother John who is named with him in several charters. He is claimed as the ancestor of the Hamiltons of Innerwick. David apparently succeeded to his father before 1346, when he was taken prisoner at the battle of Durham, and detained in England for some time. In a mandate to the Archbishop of York for his safe custody he is designated "David Fitz Wauter fitz Gilbert." He was again at liberty in 1361, when he founded a chaplainry in Glasgow Cathedral for himself and his *wives*, but he does not give their names. The charter referred to [No. 3 *infra*], granted in 1368, shows that the barony of Cadzow or Hamilton, as it was afterwards called, had suffered greatly from the civil wars and also from the pestilence which had recently swept over Scotland. We learn from historians that the first great pestilence or black death invaded Scotland, which had hitherto been comparatively free, in 1349, followed by another in 1362. In consequence, probably of the lack of labourers, Cadzow failed to produce the required grain rent, which was therefore remitted. Another charter affecting the rent of Cadzow was granted in 1372 [No. 4 *infra*].

David Fitz Walter was present at the coronation of King Robert the Second in 1371, and affixed his seal to the settlement of the crown upon King Robert's eldest son. The seal is still in good preservation, bearing three cinquefoils and the legend "Sigill. David Filii Walteri." In 1375, with consent of the King, David of Hamilton, son of David Fitz Walter, and the first to assume the surname of Hamilton, made an exchange of certain lands with Sir Robert Erskine [No. 5 *infra*]. These lands were part of Erskine, with Barns and Auldlands, part of Inchinnan, in the county of Renfrew. It is not clear how the Hamiltons obtained rights over these lands. Hamilton of Wishaw, writing about 1710, asserts that they were given by Walter the High Steward to Walter son of Gilbert as a godchild's gift, in the reign of Bruce. This statement does not agree with the dates already given, but it may indicate that Walter Fitz Gilbert first held lands in Renfrew, a probability which is strengthened by his witnessing charters of James the High Steward, there.

Little is known regarding David Hamilton, the first of that name. He and his wife Janet, whose surname is said to be Keith, at the desire of King Robert II., gave up for the sake of concord, their rights over the lands of Drumcorse, in the barony of Bathgate, disputed by Sir James Douglas of Dalkeith [No. 6 *infra*]. David Hamilton had a younger brother John, who became Sir John Hamilton of Fingaltoun [Nos. 8 and 58 *infra*], and was thus the ancestor of that family and its branches. Sir John is usually stated to be the brother of Walter Fitz Gilbert, who was really his grandfather.

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David Hamilton was succeeded by his son John Hamilton of Cadzow, knight, who in turn was succeeded by his son James. It would appear [No. 7 *infra*] that some arrangements were made for the marriage and guardianship of James Hamilton, about the year 1397, though he is usually said only to have had one wife, Janet Livingstone, whom he married about 1422 [No. 9 *infra*]. It is probable, however, she was his second wife. It has been asserted that he was the first Lord Hamilton and that he survived until 1460. But this is a mistake. He was succeeded before 1440 by his eldest son, James, who in that year married Euphemia Graham, sister of Malise Graham, first Earl of Menteith, and widow of Archibald fifth Earl of Douglas [No. 13 *infra*].

It was this second James Hamilton, lord of Cadzow, who laid the foundation of the fortunes of his family. In 1445, his whole lands were consolidated by King James II. into one lordship, to be called the lordship of Hamilton, and he himself was created a Lord of Parliament under the title of Lord Hamilton [No. 12 *infra*]. In 1453, Lord Hamilton received from his brother-in-law, Malise, Earl of Menteith, the lands of Eliestoun, in the county of Linlithgow [No. 13 *infra*]. As is well known Lord Hamilton was for many years a staunch supporter of the Earls of Douglas, especially of the ninth and last Earl in his endeavours to revenge the murder of his brother William the eighth Earl in Stirling Castle. For these and other services the last Earl of Douglas bestowed on Lord Hamilton the territory of Drumsergarth (now Cambuslang) [Nos. 14, 15 *infra*]. The Earl's charter is the latest known to be granted by him, and is dated only a month before King James II. took the field finally against the Douglases. Notwithstanding the favours thus bestowed by Douglas, the defection of Hamilton to the King's party a month or two later, which turned the scale of victory, is matter of history. Two years afterwards, however, when George Douglas, fourth Earl of Angus, obtained possession of the ancient lordship of Douglas and other lands of the great Earls of Douglas, Lord Hamilton found it convenient to give a bond of manrent to the Earl [No. 59 *infra*]. This document, which is dated 23 May 1457, is one of the earliest bonds of manrent on record. One of 1444 is found in the Gordon Charter Chest, but such writs were by no means common until a later period.

King James II. rewarded Hamilton by various grants of land from the forfeited estates of Douglas, including also the office of sheriff of Lanark [Nos. 16–18, *infra*]. But a much larger accession of territory was bestowed by King James III., including part of Bothwell [Nos. 21, 22 *infra*]. Lord Hamilton's first wife, Euphemia Graham, formerly Countess of Douglas, died before May 1469, leaving only daughters, and five years later he obtained the hand of the Princess Mary, sister of the King, and widow or alleged widow of Thomas Boyd, sometime Earl of Arran [No. 23 *infra*]. By the Princess Mary, Lord Hamilton had a son James, who succeeded to him on his death in 1479. James, first Lord Hamilton, in his later years, was a considerable benefactor to the church, as shown by [Nos. 99–102 *infra*], to which more special reference will be made later on.

James, second lord Hamilton, was in high favour with King James the Fourth. On 27 July 1489, he received from that King the office of the sheriffship of Lanark, by a most formal investiture, narrated in No. 24 *infra*. In 1503, on the occasion of the King's marriage with the Princess Margaret of England, Lord Hamilton was made Earl of Arran, and he received a grant of the earldom to himself and his heirs male. The charter narrates not only his services, but also his nearness of blood to the King, he being really in default of the king's issue, the next heir to the crown [No. 25 *infra*]. The same fact is stated as one of the

reasons for the special legitimation granted to the natural son and brothers of the Earl [No. 27 *infra*], who were to succeed to his earldom failing lawful heirs of his own body. This document, which is dated in January 1513, effectually proves that the earl then had no lawful issue, and confutes a statement by no less an authority than Sir Walter Scott, in his notes to "The Lord of the Isles," that the descendants of the first Earl of Arran, by his first wife, Elizabeth Home, were set aside from his succession in favour of his children by a later wife, Jane Beaton.

The story of the Earl's marriages is so far told in Nos. 106 and 107 *infra*, which have been given at length as examples of proceedings in consistorial courts, few records of which have been preserved. He instituted a divorce against his first wife, Elizabeth Home, because her first husband, Thomas Hay of Yester, who was believed to be dead, returned from abroad and claimed her. The Earl afterwards married Janet Beaton, of Easter Wemyss, their banns of marriage being published in November 1516. By her he had two sons, the eldest of whom was afterwards well known as Governor of Scotland during the minority of Queen Mary.

The bonds of manrent, Nos. 63 to 70 *infra*, made in favour of the Earl, are of interest as showing the relations assumed by a great noble towards others of his own rank, and also to those of less importance. In the former case, as in Nos. 63 and 65, the obligation is assumed to be mutual; in the latter case the lesser baron binds himself wholly to the service of the greater [cf. Nos. 64, 68-70 *infra*]. Two of the documents just enumerated have a bearing on the history of the time, and the dispute which so long continued between the Douglases and the Hamiltons for supreme power in Scotland. Among other causes of rivalry was a claim made by the Earl of Angus to have jurisdiction over Jedburgh Forest, which was opposed by Arran, who had been appointed warden of that part of the Scottish border. Ker of Ferniehirst, apparently an adherent of Arran, assumed the power of holding courts at Jedburgh claimed by the Earl of Angus as his exclusive right. Both parties mustered their men to enforce their claims, and Sir James Hamilton of Finnart hastened with four hundred Merse men to the aid of Ferniehirst, but was attacked by Ker of Cessford, a partisan of Angus, and being deserted by his men, was defeated and compelled to flee. This, according to Lesley, was in January 1520, and in No. 66 *infra* we have a sequel which shows that six months later the position of matters was somewhat changed. Ker of Cessford and his friends appear as willing to submit their doings to arbiters, and pending the decision to live peaceably with their opponents. Cessford also bound himself neither to ride nor go with the Earl of Angus. The arbiters met and decided that Cessford and his friends should serve the Earl of Arran, should take his part against Angus, and make no bonds with any one without Arran's consent. They were also to support David Hamilton, Bishop of Argyll, in his enjoyment of the abbacy of Dryburgh. It is not clear whether by this agreement Cessford was altogether detached from the party of Angus, but as 6,000*l.* was the penalty for breaking the contract, it is probable that it was kept for a time.

The second document referred to in this connexion is No. 67 *infra*, which is also illustrative of how the opposing factions alternately gained or lost by the affection or fears of their partisans. In 1519 the faction of Angus was in favour, and his uncle, Archibald Douglas, of Kilspindie, was made Provost of Edinburgh, who afterwards resigned, it is said, in consequence of an edict by Albany the Governor. In April 1520 there took place the broil between the Hamiltons and Douglases, known as

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"Cleanse the Causeway," in which the Earl of Angus was supported by the citizens of Edinburgh, and Arran and his friends were driven from the city. In the following January, however, we have the provost and community of the burgh binding themselves to be true partisans of Arran, and to exclude from their town, during his stay there, the Earl of Angus and others his friends and followers. This result was no doubt procured by the influence of the Regent Albany, which was opposed to Angus.

The papers, Nos. 71–73, though partly dealing with the time of the second Earl of Arran, refer to an event which took place during the life of his father. This was the death of John, eleventh Earl of Lennox, who for a time shared with the Earls of Angus and Argyll the chief authority, but afterwards withdrew from the coalition. He made a strong effort to recover the person of King James V. from the power of Angus, who sent the Earl of Arran with a strong force to meet the tooops of Lennox. The two armies met near Linlithgow on 4 September 1526, and the Hamiltons were victorious. The King sent a special messenger to secure the safety of the Earl of Lennox, but when he arrived on the field he found Arran weeping over the body of the Earl, who had been slain in cold blood by Hamilton of Finnart. The assassin, such was the influence of party, received the ward of part of his victim's lands, but matters were four years later arranged by the agreement, No. 73 *infra*, in which the son of the slain Earl, for certain concessions, forgives and discharges Hamilton and his friends.

Previous to this, in 1529, the first Earl of Arran died at his place of Kinneil. His will and the inventory of his goods, dated 26 March 1529, are given at length in No. 102 *infra*. He was succeeded by his son James second Earl, then a minor, for some time under the tutory of Hamilton of Finnart. He is said to have been of a gentle nature, but vacillating in his policy. It was his rank as the "second person of the realm," rather than his commanding talents, which procured his appointment in March 1543 to be tutor of the infant Queen Mary aud Governor of Scotland [No. 76 *infra*]. The numerous bonds of manrent and fealty which were made to him as Governor are enumerated in No. 77 *infra*.

The more remarkable of these are the bond by the Queen Dowager Mary of Guise, in which she binds herself to the Governor's party, although a few years later, under the influence of her French relatives, she strove hard to procure the Regency for herself [No. 77[4]] ; a bond, signed only by Hew Master of Eglintoun, but evidently meant to be signed by others also [No. 77[8]], plainly indicating the feeling produced in Scotland by the cruel policy of King Henry VIII., who, in his desire for a union of the two countries by marriage, endeavoured to force Scotland by fire and sword to accede to his ambitious views. The document now reported on has not been noticed by any recent historian, but it indicates that some were favourable to a compromise between a union with England and the French alliance which was pressed upon Scotland. It is somewhat remarkable, however, that the proposal of marrying the young Queen Mary to the son of the Regent Arran, is signed only by the Master of Eglintoun, who afterwards became the Regent's son-in-law. The project may have arisen out of private ambition, and circumstances prevented the development of the plan, although when Queen Mary arrived in Scotland the subject was revived, and the heir of Hamilton appeared among her suitors. Even then, however, the scheme had few supporters, though it is said to have been approved by John Knox.

Other bonds of interest are that signed by the sixth Earl of Angus and his brother Sir George Douglas [No. 77[11]], and the somewhat peculiarly worded engagement by the famous Morton, in which he carefully guards his "conscience" while promising to guard the reformed religion. This document [No. 77[28]] is dated only a few months before the meeting of the Parliament which finally established the Reformation. Difficulties, not conscientious, but of another kind, encountered in balancing between parties at that period, are described in the statement by the Laird of Ormiston (in Roxburghshire), who excuses himself from answering the summons to give his service by pleading that his utter destruction would follow. He already had an assurance from the English wardens, but if he broke his neutrality or yielded service to Scotland, he was so near the castle of Roxburgh, then garrisoned by the English, that their vengeance would be swift and his corn and goods would be seized. He offers to come to the Governor's allegiance by the first of April, and to quit his residence rather than have intercourse with the English. His fears were not groundless, as Ormiston had been ravaged by Surrey in 1523.

This Laird of Ormiston is not to be confounded with the "Laird of Ormestoun," against whom, with the Lairds of Salton and Brunstane, the vengeance of the Government was directed in February 1548 [No. 79 *infra*]. His name was Cockburn, and his estate of Ormiston is situated in the county of Haddington. He and the others named were prominent as intriguers with the English, and had given up their fortalices, which were all within a short distance from Edinburgh, to be garrisoned by the enemy. The date of the Privy Council order supplies a blank in the now extant records, which are imperfect at that period.

The Regent Arran on 5 February 1548 was created a peer of France, and the Duchy of Chatelherault was conferred upon him and his heirs. This was after the French alliance had been fully accepted by the Scots. From that time not only were the Scots aided by French troops and subsidies, but, as shown by No. 80–82 *infra*, the Regent received ample promises to himself of freedom in the exercise of his office and of aid in claiming the crown of Scotland should anything befall the young Queen. Arran's creation as Duke is stated by Lesley to have been prompted by Mary of Guise Queen-Dowager of Scotland, as an inducement to resign the Regency in her favour. She did not become Regent until 1554, but Lesley is probably right, as during the three years previous she brought her whole influence to bear on the nobility and gentlemen of Scotland to gain her point, as she found Arran unwilling to resign.

When the Duke yielded his office, which he did after an agreement with Mary of Guise at Stirling [No. 83 *infra*] he received ample indemnifications for all his acts as Governor, both from the Scottish Parliament and the French government [Nos. 85–87 *infra*]. The Regency of the Queen Dowager ended in a manner very contrary to the desires and hopes of her French relatives, as it was the dread of the French influence she introduced, which tended latterly to consolidate the Reforming party in Scotland. This is stated by themselves in the covenant drawn up on 27 April 1560 and signed by 150 of the noblest names in Scotland, including several ecclesiastics [No. 88 *infra*]. The first clause binds the parties to "set forward the reformation of religion," but the second binds them to act with the English Queen to expel the French from the country, that the Scots may be ruled by their own laws.

The Duke of Chatelherault lived until the year 1575, but though he took part in public affairs and was a strong supporter of Queen Mary,

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the family papers reveal very little of his history after 1560. He and his family fell under the displeasure of the Government, and he with one or two of his sons passed to France [Nos. 90, 91 *infra*], but he returned in February 1569. According to contemporary record he was abroad when the protest prepared in his name was received so curtly by the Regent Murray [No. 92 *infra*].

Of James Earl of Arran, eldest son of the Duke, little appears in these papers, except the proposal already referred to as to his marriage with Queen Mary, and the Commission appointed to offer him as a husband to Queen Elizabeth [No. 89 *infra*]. In 1562 he was seized with incurable mental disease, and though he survived until 1609, he was incapacitated from taking part in public affairs. One bond of manrent to him is recorded, granted in 1553 by the Kers [No. 78 *infra*]. With the young Earl in this document is conjoined his uncle John Archbishop of St. Andrews, a very prominent and active prelate of his day, whose name, however, appears only casually in these papers as Abbot of Paisley, Bishop of Dunkeld, &c. As regards the last office, one writ now reported on [No. 36], shows that he was still Bishop of Dunkeld on 28 May 1549, though some historians give him archiepiscopal rank previous to that date. He is, however, designated primate on 4th July 1549 [No. 37]. The see of St. Andrew's appears to have remained vacant for three years after the murder of Cardinal Beaton.

In consequence of the incapacity of James Earl of Arran, the Duke's eldest son, the succession to the Hamilton estates devolved upon the second son Lord John Hamilton. He was provided to the rich revenues of the Abbey of Arbroath, but had no very peaceful enjoyment of them, as George Douglas, a natural son of the sixth Earl of Angus, also claimed possession as postulate of the abbey. Hamilton in 1570 enlisted the Ogilvies in his service against Douglas [No. 94^{1} *infra*], with a view to expelling him by force. During the Regency of the Earl of Morton, to whom the Hamiltons were obnoxious, their estates were confiscated and Lord John fled into England. His return to Scotland in 1585 and favourable reception by King James VI. are well known.

Lord John and his friends were pardoned and their estates restored. He was appointed captain of Dumbarton Castle, and a pension assigned him from the rents of the abbacy of Crossraguel [No. 61 *infra*]. Some years later the King, in consideration of Lord John's nearness to the throne and his loss of the Duchy of Chatelherault, promised him the lordship of Arbroath, which was afterwards secured to him [No. 62 *infra*], and he was also created Marquis of Hamilton, being the first of that rank in Scotland. After his restoration to his estates, Lord John received bonds of manrent from various persons. One of these was from Angus McConneil of Dunyveg, otherwise McDonald of Isla, one of the most turbulent Highland chiefs of his day [No. 94^{5} *infra*], whose feuds with Maclean of Dowart gave serious trouble to the Government. He and Maclean were enticed to Edinburgh and treacherously imprisoned. In January 1591, they were brought to trial and submitted themselves wholly to the King. It was in the following April that Macdonald bound himself to Hamilton [Cf. also No. 94^{7}].

Lord John Hamilton, first Marquis of Hamilton, died in April 1604, and one of his latest acts was to exact from his nephew James, first Lord Abercorn, a promise of fidelity to the interest of his cousin James afterwards second Marquis of Hamilton. This promise, however, was evidently intended to benefit his elder brother, the unfortunate James Earl of Arran, who still survived, and to provide that no contest should arise as to his guardianship [No. 94^{9} *infra*].

James, second Marquis of Hamilton, succeeded his father in 1604, while still a minor. His name does not occur prominently in the papers now reported on. He died somewhat suddenly in March 1625, survived by his wife Lady Anna Cunningham. She is said to have been "a lady of a firm and masculine character," a description not belied by her long and clearly worded last will written by herself a year or two before her death in 1647 [No. 118 *infra*].

Of James the third Marquis, who was created in 1643, Duke of Hamilton and his brother William the second Duke, more will be said when the correspondence of the family is dealt with. Duke James for a time was in the service of Gustavus Adolphus, King of Sweden, from whom he received the Commissions noted in Nos. 96 and 97 *infra*, and he was also high in favour with King Charles I. [Cf. No 98 *infra*]. As is well known he entered in 1648 into what was called "the engagement" to raise a force in Scotland on behalf of the King. The Duke's own feeling in regard to this matter, which ended so unfortunately for himself, is expressed in his will [No. 119 *infra*] written on the eve of his setting out.

Duke James and his brother Duke William appear to have been greatly attached to each other. Their respective wills evince this, and Duke William especially in his testament and in his letters to his wife, particularly the one conveying his last wishes and written while he lay wounded and dying, a few days after the battle of Worcester, which was fought on 3rd September 1651 [No. 120 and note].

The remaining papers here reported on which have a direct bearing on the history of the Hamilton family, are chiefly marriage contracts, several of the more important of which are noted [Nos. 109, 111–117, 121 *infra*] as showing the alliances of the house. Perhaps the most noteworthy of these is No. 117, which proposes an alliance between the families of Argyll and Hamilton about the year 1641, when the chiefs of these houses were still of similar political opinions. The proposed marriage, which never took place, was probably broken off when Argyll and Hamilton found themselves in opposite parties in the State.

A brief reference may now be made to a few points of general or local interest which appear in the papers already noticed or those not directly relating to the Hamiltons. Nos. 11 and 13 remind us of the hardships endured by those noblemen and gentlemen who at one time or other became hostages to England for payment of the ransom of King James the First. William Baillie of Lamington, who grants the writ first referred to, entered England as a hostage in 1432, and ten years later we find him still an exile from his country at "Pomfret," or Pontefract Castle. In 1451 and 1453, a William Baillie appears in the train of the Douglases and Hamiltons, who may have been the same person released, but more probably was his son. A more marked case of hardship was that of Malise Graham, Earl of Menteith, who in 1453 grants a charter [No. 13] to his sister, Euphemia Graham and Lord Hamilton her husband. He had been a hostage in England since 1427, and was only released from his residence there in June 1453 by the influence of his brother-in-law and the ninth Earl of Douglas, and then only on leaving in his stead his eldest son, who died in exile about 1469. It was probably in gratitude for his release that the earl granted the charter now reported on, which he did at the castle of Bothwell then belonging to Douglas.

The first notice of what is now Hamilton Palace is found in No. 12, dated 28 June 1445, in which King James II. grants that "the present manor, called the "Orchard," should be the chief messuage of the

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new lordship of Hamilton, and in future should be called Hamilton. Although situated in the barony of Cadzow, the "Orchard" was not originally possessed by the Hamiltons. In 1368, a Hugh Saviland, laird of the Orchard "terræ de Pomario," made a donation of wax to the church of Glasgow, a grant to which he affixed the borrowed seal of a Hamilton, "David Fitz Walter Lord of Machan." Nothing further is known of this laird of the orchard, and his property must have been acquired by the Hamiltons later. In 1445, however, it does not appear that any part of the house was built; and a hundred years later it was only in process of erection, as in 1542 King James V. describes it as the Castle of Hamilton now built or to be built [No. 29]. A few years previous additional ground for the site seems to have been acquired from the Dean of Glasgow, the property granted by him in 1538 to James second Earl of Arran as stated in No. 28, being described by an old indorsation on the writ as "parte of ye pallace in Hamilton to my lord Gouernor 1538." The writ in question shows that then the "pallace" must have been surrounded by the village and bounded on one side by the church of Hamilton with its cemetery.

The mention of the church leads to the endowments bestowed upon it by the first Lord Hamilton. The bull of Pope Nicholas V. in 1450 [No. 99 *infra*] narrates the provisions for the erection and endowment of a collegiate church with a provost and six prebendaries. Hamilton of Wishaw about 1710 writes that Lord Hamilton "built new the parish kirk of Hamilton, the queere and two cross isles and steeple, all of polished stone." In 1462 the first Provost George Graham was inducted [No. 101 *infra*]. According to the bull of 1450, Hamilton and its neighbourhood was then a place of considerable resort, many persons making daily journey by land or water. This was probably because the bridge over the Clyde at Bothwell which is said to have existed from a very early date, was then in use and caused a thoroughfare in its neighbourhood.

Lord Hamilton also turned his attention to a wilder and more outlying portion of his territory. In 1463, as indicated by No. 21 *infra*, he received from King James III. 140 acres of moorland with other lands which lay in what was called the Forest of Bothwell. These had belonged to the Earls of Douglas [Cf. Nos. 19, 20], and were part of the jointure of Hamilton's wife as Countess of Douglas, but were now granted to Hamilton himself. The lands were part of the modern parish of Shotts, then called Bertram Shotts, which until a comparatively recent period presented the infertile and bleak appearance described in No. 102. On account of its distance from the parish church of Bothwell, the cold climate and waste character, the inhabitants were few and often in want of ordinances, which Lord Hamilton proposed to remedy by endowing a chapel there, with an hospital for poor persons, a measure which was sanctioned by Pope Sixtus IV. in 1476. It is interesting to note the description of the parish at that date when we consider that under the inhospitable soil lay concealed a wealth of minerals which when discovered in modern times have given rise to extensive industries.

Of considerable local interest also is the fact that the endowment was to consist of land reclaimed from the sea. This was at Kinneil, an estate which included the modern town of Borrowstouness or Bo'ness, and which was bestowed on Walter Fitz Gilbert by King Robert I. The work of reclamation was perhaps begun by Lord Hamilton as it was in progress in 1474, when he and his second wife the Princess Mary had a charter of the barony of Kinneil, including the lands

reclaimed and to be reclaimed from the sea. The portion thus gained had never paid tithes, and was now devoted to the chapel of Shotts. What was the extent of the land reclaimed is not stated, but a statistical writer in 1843 remarks that "a great part of Kinneil carse has evidently been reclaimed" from the Firth of Forth. By another writer the carse land is estimated at 450 acres, and in 1774 it is said an embankment 1½ mile in length was made westward from Bo'ness along the north side of the carse, with the view not of gaining but of saving ground from the sea, which then was apparently encroaching.

Of charters now reported on, not directly relating to the Hamiltons, Nos. 31–37 refer to the family of Stewart of Bute. The writs in themselves call for no special remark, but may be interesting on account of the many local surnames referred to. James Stewart, who held the office of sheriff of Bute for several years from 1541 to 1551, though holding a high position, was unable to write, and when he with his father and seven brothers granted a bond of manrent to the Earl of Arran in 1535, it would appear that only one of the nine could sign his name [Nos. 37, 74].

A series of writs relating to the family of Dalziel or Dalyell of Bracanrig, a branch of the Dalyells of Dalyell, will be found in Nos. 38–57 *infra*. The ancestor of this branch of the Dalyells was Robert (third) son of Sir John Dalyell of that ilk, who succeeded his father in the lands of Bracanrig in Lanarkshire in 1437 [Cf. Nos. 38 and 39]. The charters are interesting chiefly from the fact that most of them are, contrary to general usage, written in the Scotch vernacular. Numerous surnames of neighbouring lairds and others may be of use to the local antiquary. The writs are dated between 1400 and 1525, and contain charters of the Dalyells, their overlords the Flemings, Earls of Wigtown, and the Stewarts Lords of Darnley and Earls of Lennox, with references to the Campbells of Loudoun in Ayrshire, and others concerned. A point of some interest to heralds will be found in the seals of the Dalyells attached to these writs. The bearing shows only a human figure, naked, with the dexter arm extended and the sinister hanging down. Sir Robert Douglas in his peerage, published in 1764, tells a fabulous story of the origin of the family, and adds that they "assumed the word Dalzell for their sirname, and that remarkable bearing of a man hanging on a gallows for their arms . . . . . though they now bear only a naked man, proper." But these seals show that the naked man, proper, was in use from an early date, and that the "bearing of a man hanging on a gallows" was a more modern usage.

The papers now reported have already been referred to in a brief Report made to the Commissioners by the late Dr. John Stuart in 1869, and printed in the Appendix to their first Report, pp. 112–114. Dr. Stuart, however, entered into no details of the papers, and merely gave a short resumé of them from the printed catalogue before mentioned. Dr. Stuart also takes little or no notice of the charters and similar writs from which the present Report is compiled. He suggests that the writs and historical papers should be fully calendared, and the present Report is an attempt to carry out that suggestion, while as already stated, the extensive correspondence will form the subject of future consideration.

For the sake of convenience, the papers now reported on have been divided as follows:—

Division I.—Charters:

§ 1. Older Charters of the Barony of Hamilton and Earldom of Arran, 1315–1542.

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§ 2. Charters of Knightslands and other lands in Arran acquired from the Stewarts of Bute, 1356–1549.
§ 3. Charters relating to the family of Dalyell, of Bracanrig, Lanarkshire, 1400–1525.
§ 4. Miscellaneous Charters and similar Writs, 1395–1598.

Division II.—Writs of a historical character other than correspondence:

§ 1. Bonds of manrent in favour of James, first Earl of Arran, 1503–1528.
§ 2. Papers relating to James, second Earl of Arran, Governor of Scotland, &c., 1527–1569.
§ 3. Papers relating to Lord John Hamilton, first Marquis of Hamilton, 1570–1604.
§ 4. Papers relating to James, second Marquis of Hamilton, 1607, &c.
§ 5. Papers relating to James, third Marquis and first Duke of Hamilton, and his brother William, second Duke, 1629–[1651].
§ 6. Miscellaneous writs consisting of (1) Papers relating to the Collegiate Church of Hamilton, &c., 1450–1552; (2) Marriage contracts, testamentary documents, &c., 1504–1737.

Division I.—Charters.

§ 1. *Older Charters of the Barony of Hamilton and Earldom of Arran*, 1315–1542.

1. Robertus Dei gracia Rex Scottorum omnibus probis hominibus tocius terre sue salutem. Sciatis nos dedisse, concessisse et hac presenti carta nostra confirmasse Waltero filio Gilberti, dilecto et fideli nostro, pro homagio et seruicio suo, totum tenementum de Machane quod fuit quondam Johannis Comyn cum pertinenciis in valle de Clude: Tenendum et habendum dicto Waltero et heredibus suis inter ipsum et Mariam de Gordoune sponsam suam legitime procreatis, et ipsis heredibus deficientibus heredibus eiusdem Walteri de vxore sua priore legitime genitis, de nobis et heredibus nostris, in feodo et hereditate, per omnes rectas metas et diuisas suas, adeo libere, quiete, plenarie et honorifice cum omnibus libere tenentibus dicti tenementi, et cum omnibus aliis libertatibus, commoditatibus, aisiamentis et iustis pertinenciis suis, sicut dictus quondam Johannes Comyn predictum tenementum cum pertinenciis aliquo tempore tenuit seu possedit: Faciendo nobis et heredibus nostris dictus Walterus et heredes sui predicti seruicium inde debitum et consuetum tempore bone memorie domini Alexandri Regis Scocie predecessoris nostri vltimi defuncti. In cuius rei testimonium presenti carte nostre sigillum nostrum precepimus apponi: Testibus Edwardo de Bruys Comite de Carrik et domino Galwidie fratre nostro, Thoma Ranulphi Comite Morauie nepote nostro, Bernardo Abbate de Abirbrothoc cancellario nostro, Waltero Senescallo Scocie, Johanne de Meneteth, Jacobo domino de Doglas et Jacobo de Lindesay, militibus; apud Dunbrctan, tertio die Martii anno regni nostri nono [1314–5].

2. Robertus Dei gracia Rex Scottorum omnibus probis hominibus tocius terre sue salutem: Sciatis nos dedisse, concessisse et hac presenti carta nostra confirmasse Waltero filio Gilberti militi, dilecto et fideli nostro, pro fideli seruicio suo nobis inpenso, et Marie sponse sue, totam Baroniam de Kenel in vicecomitatu de Edenburg, vna cum terris de

Lethberd et de Aldcathi ad eandem baroniam pertinentibus: Tenendam et habendam eidem Waltero et Marie sponse sue predicte, et heredibus suis de corporibus suis legittime procreatis, in feodo et hereditate, per omnes rectas metas et diuisas suas cum seruiciis liberetenentium, bondis, bondagiis, natiuis et eorum sequelis, et cum omnimodis aliis libertatibus. commoditatibus, aisiamentis et iustis pertinenciis suis, in omnibus et per omnia, tam non nominatis quam nominatis, adeo libere, quiete, plene, pacifice et honorifice, sicut quondam Herbertus Camerarius dominus eiusdem baronie et successores sui eandem baroniam liberius, quiecius, plenius aut honorificencius aliquo tempore de quondam domino Dauid Rege Scocie et heredibus suis, predecessoribus nostris, in omnibus tenuerunt seu tenere potuerunt: Faciendo inde nobis et heredibus nostris predictus Walterus et Maria sponsa sua antedicta, seruicia debita et consueta. In cuius rei testimonium presenti carte nostre sigillum nostrum precepimus apponi: Testibus, Bernardo Abbate de Abirbrothoc cancellario nostro, Waltero Senescallo Scocie, Jacobo domino de Duglas, Gilberto de Haia constabulario nostro et Roberto de Keth marescallo nostro, militibus; apud Sconam vicesimo octauo die Julii anno regni nostri octauo decimo [1323].

3. Charter by King David the Second narrating a charter made by his father (King Robert Bruce), to the deceased Walter Fitz-Gilbert (filio Gilberti), knight, father of David Fitz-Walter, knight, of the barony of Cadzow, with pertinents, in the sheriffdom of Lanark, for an annual payment of 80*l.* sterling, with twenty-two chalders of wheat, and six chalders of barley; further narrating that the King, while holding a council at Perth on 9th December having been informed that the barony had been so diminished and destroyed by wars and by various pestilences that it cannot yield so much money and grain yearly, with consent of the council confirms to the grantee the barony of Cadzow, and grants in addition the tenantry of Edalwood with service of the tenant of the same, and an annual rent of four merks due therefrom; to be held of the Crown by David Fitz-Walter, and his heirs for a yearly payment of 80*l.* sterling at Ruthglen at the feast of the dedication of the Church of Glasgow, to wit, the Fair day thereof (7 July), and at the feast of the purification of the Virgin Mary (2nd February). The King further remits the payment in grain, and also grants that should the rents of the barony not suffice for the payment of the 80*l.* sterling annually, a just abatement should be made by the then chamberlain of the kingdom. Granting also that when any new heir took sasine of the barony, he should not be bound to pay duplication of the feu-duty, but that in the year of his entry he should pay to the King and his successors, in name of duplication ten merks sterling or one palfrey of that price, for all other service. Given under the great seal in duplicate, at Lundoris (Lindores) 27th December, the 39th year of the king's reign [1368]. Witnesses, William, Bishop of St. Andrews, Patrick, Bishop of Brechin, Chancellor, Robert, Steward of Scotland, Earl of Strathern, the king's nephew, William, Earl of Douglas, Robert de Erskyne, William de Keth, marischal of Scotland, Walter de Lesley, and Alexander de Lyndesay, knights.

4. Charter by King Robert the Second granting to Sir Robert de Erskyne, knight, twenty pounds sterling of the annual rent paid by the barony of Cadzow in the sheriffdom of Lanark in exchange for the lands of Bondington and an annual rent of four merks due from the lands of Westhall in the barony of Rathev (Ratho) in the sheriffdom of Edinburgh; granting also of the king's own pleasure and free gift ten merks sterling in complement of the 40 merks to be uplifted annually

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from the annual rent due from the barony of Cadzow. To be held in fee and heritage, and uplifted yearly by Sir Robert Erskyne at the same terms at which the feu of the barony of Cadzow was payable; with an injunction to the Chamberlain of Scotland for the time and all others interested, to pay the sum of forty merks at the specified terms. Given under the Great Seal at Linlithgow a. r. 2nd [1372] 4th November. Witnesses, William and Patrick, Bishops of St. Andrews and Brechin, John, Earl of Carrick, eldest son of the king, and Steward of Scotland, Robert, Earl of Fife and Menteith, also son of the king, William Earl of Douglas, John of Carrick, Chancellor of Scotland, James of Lyndesay, nephew of the king, and Hugh of Eglinton, the king's brother in law, knights.

5. Charter by King Robert the second, narrating the preceding grant of 40 merks made by himself to Sir Robert Erskyne, which grant Sir Robert now in the king's presence voluntarily resigned for an exchange to be made with David de Hamylton, son and heir of David Fitz-Walter (filio Walteri), knight, of the annual rent of 40 merks for the lands of Cloneschynach in the holding of Erskyne with the lands of Bernys and of Auldlands in the holding of Inchenane in the barony of Renfrew within the sheriffdom of Lanark. The king therefore in terms of the resignation grants to David de Hamiltoun the forty merks of annual rent to be held by him and his heirs in fee and heritage, etc. Given under the great seal at Scone, 11th November a.r. 5th [1375]. Witnesses, identical with those in the preceding writ, Alexander de Lyndesay, knight, taking the place of Sir Hugh Eglinton, and Patrick, Bishop of Brechin, being absent.

6. Letters Patent by King Robert the Second, making known, for the sake of bearing witness to the truth, of burying discords and preserving concord, that his beloved and faithful David de Hamilton for himself and Johanneta his spouse, and their heirs, had resigned all claim he had through his spouse in or to the lands of Drumcors in the barony of Bathgate, constabulary of Linlithgow and sheriffdom of Edinburgh, in favour of James de Douglas of Dalkeith, knight, the lands having descended to Sir James by hereditary right through the decease of the late William of Douglas of Kingcavill his uncle, who held the lands by charter and sasine from the king when he was Steward of Scotland. The king further makes known that in return for this resignation he grants to David de Hamilton, sixteen marks sterling to be uplifted yearly from the annual rent due to the Crown from the barony of Cadzow in the sheriffdom of Lanark. Given under the great seal at Scone, 24th October a.r. 8th [1378]. Witnesses, John, Earl of Carrick, etc., Robert, Earl of Fife and Menteith, James de Lyndesay, Alexander de Lyndesay, Robert de Erskyne, knights; John Lyoune, Chamberlain of Scotland, and many others of the King's council who witnessed both the resignation and the grant.

7. Charter by King Robert the Third, granting to James de Hamilton, son and heir of John de Hamylton of Cadzow, knight, the whole lands of Kenel and annual rents within the sheriffdom of Edinburgh which had belonged to John Hamilton and were resigned by him in the King's hands at Dumbarton, on 25 July 1397; to be held by the King and his successors in fee and heritage for ever, to the said James his heirs and assignees; rendering therefor annually the services due and wont; reserving, however, to John Hamilton and David Fleming all conventions, agreements and contracts between them in accordance with certain indentures entered into betwixt them respecting the marriage of

James Hamilton and the tutory and custody of himself and his lands until he shall arrive at lawful age, these indentures having been confirmed by the King under his great seal. Given under the great seal at Fylawston, 28th July, a.r. 8th [1397]. Witnesses, Walter and Gilbert, Bishops of St. Andrews and Aberdeen, David, Earl of Carrick, eldest son of the King; Robert, Earl of Fife and Menteith, the King's brother, Archibald, Earl of Douglas, Lord of Galloway, James of Douglas, Lord of Dalkeith, and Thomas of Erskine, knights.

8. Charter by John de Hamilton, Lord of Cadzow, granting to Adam Forester, of Corstorfyne, the whole lands of Bawdriston in the constabulary of Linlithgow and sheriffdom of Edinburgh, which lands had belonged to Adam and were resigned by him; to be held to Adam and his heirs and assignees in fee and heritage of the granter and his heirs; rendering therefor one suit of court in the granter's court of Kynnell to be held next after the feast of St. Michael the Archangel in each year, also paying one silver penny at Bawdriston on Pentecost in each year if asked, in name of blench. Dated at Maneristoun, 21 May 1395. Witnesses, John de Hamylton, Lord of Fyngaltoun, the granter's uncle, George of Preston, knights, John of Hamilton, the granter's brother, Sir Alexander Lyoune, and John Tripnay.

9. Charter by Alexander of Levinstoun (Livingstone), Lord of Kalender, granting to James of Hamilton, Lord of Cadoch (Cadzow), and to his spouse Janet of Levynstoun, the granter's daughter, and to the survivor of them, the lands of Schawys in the barony of Mawchan and sheriffdom of Lanark; to be held to the grantees and the lawful heirs born and to be born of their bodies, in fee and heritage and free marriage for ever, and failing such heirs, the lands are to revert to the granter. With clause of warrandice. Dated at Edinburgh, 20 October 1422. Witnesses, Thomas de Lowis, John de Levingston de Kalendar, Thomas de Hamylton, Thomas of Cranstoun, and William of Liberton, squires. Seal attached.

10. Charter of King James the First, granting to James of Hamilton, son and apparent heir of James Hamilton of Cadzow, the lands of Dalserf in the barony of Machane and sheriffdom of Lanark, belonging to the King by reason of escheat, because James Hamilton of Cadzow, had conferred the lands on David of Hamilton, his brother, by charter and sasine without the consent of the King, or of the Regent in the King's absence, or any confirmation; to be held to James Hamilton, younger, and his heirs of the King and his heirs in fee and heritage, as freely as his father held them. Rendering therefor the services due and wont. Witnesses, Master John of Cameroun, provost of the college kirk of Lyncluden, keeper of the privy seal, John Forster, chamberlain, Walter of Ogilvy, treasurer, and Robert of Lauder, justiciar of Scotland. Given under the great seal at Edinburgh, 18 April 1426. Transumed under the great seal of King James the Second, but transumpt not dated.

11. Letters patent by William Balze, lord of Lammyntown, knight, appointing John of Hamilton, brother of Sir James of Hamilton, knight lord of Cadzow, and Arthur of Hamilton, son of Andrew Hamilton, as lawful procurators to resign his lands of Udistown lying in the barony of Cadzow and sheriffdom of Lanark, into the hands of the superior, the said lord of Cadzow. Dated at "Pomfrate" 13 August 1442. Seal attached. [There is also a Resignation of same date.]

12. Charter under the great seal, by King James the Second, with advice of Parliament held at Edinburgh 28th June 1445, granting to

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James, lord of Hamylton, knight, the lands of the baronies of Cadyhow and Mawchane, and the superiority of the lands of Hamylton-ferm and Corsbaskat, in the sheriffdom of Lanark and the barony of Kynneil in the sheriffdom of Linlithgow, all which lands and baronies had been resigned by Hamilton, and were now erected by the king into one entire and free lordship to be called the lordship of Hamilton, the present manor, called "the Orchard," in the barony of Cadzou to be the chief messuage of the lordship and in future to be called Hamilton. The king also creates the said James Hamilton a hereditary Lord of Parliament. The lands and baronies to be held to Hamilton and his heirs in fee and heritage, etc., for the services due and wont, and reserving those services which were paid by the several lands, baronies, and superiority before the resignation was made. Dated at Edinburgh, 3 July 1445. Witnesses John, James, John, John and Michael, Bishops of Glasgow, Dunkeld, Moray, Brechin, and Dunblane; William, David, Archibald, Hugh, and Alexander, Earls of Douglas, Crawford, Moray, Ormond, and Huntly; Duncan, Patrick, William, Herbert, and Alexander, of Campbell, Graham, Somerville, Maxwell, and Montgomerie, lords of Parliament; John of Dalrymple, John of Scrogis, and James of Parkle, commissioners of the burghs of Edinburgh, Aberdeen, and Linlithgow, Messrs. William Turnbull, keeper of the Privy Seal, John of Scheues, clerk of the rolls and register, and John of Railston, the King's Secretary. [This Charter is recorded in the proceedings of the Scottish Parliament, and will be found printed at length in the Acts of the Parliaments of Scotland, vol. ii. p. 59.]

13. Charter by Malise (Graham), Earl of Menteith, and Lord of Kinpunt, granting to his kinsman, James Lord Hamilton, knight, and Eufamia his spouse, sister of Earl Malise (and widow of Archibald, fifth Earl of Douglas), for service and aid done to the granter, the lands of Elastoune, lying in the lordship of Kinpunt, constabulary of Linlithgow, and sheriffdom of Edinburgh. To be held to James and Eufamia, the survivor of them and the lawful heirs male of their bodies, whom failing to the lawful and nearest heirs of James or his assignees, of the granter and his heirs in fee and heritage for payment of a penny Scots in name of blench-farm yearly, if asked only. With clause of warrandice. Dated at the castle of Bothwell 17th December 1453. Witnesses Robert Grahame of Inchemachlyn, Mr. William Bane, notary public, Sir Patrick Grahame, Sir George Grahame, Sir Thomas Smyth, priests, Walter Grahame, Patrick Weddale, squires, and Andrew Carryg.

14. Instrument of sasine following upon and narrating a precept by James, (ninth) Earl of Douglas and Avondale, and Lord of Galloway, directed to Thomas of Graham, bailie of the whole barony of Drumsargart, for infefting James Lord Hamilton in the lands of Drumsargart in the sheriffdom of Lanark, according to a charter by the Earl. Precept given under the Earl's seal at the Thrieve 1st November 1452. Sasine given in usual form to Lord Hamilton personally at the old castle or principal messuage of the lands and barony of Drumsargart, 8th November 1452, in presence of Thomas of Graham, bailie, Thomas of Symonton, constable of Bothwell castle, Robert Graham of Cesfurde, Patrick of Cleland, squires, Sirs George Vicars, rector of Dolfynton, Patrick of Graham, John of Murreff, John of Knokkis, rector of Buthirnok, James Clerk, Robert Graham, prebendaries of the college of Bothwell, and Thomas Smith, priests, Patrick Wedal, William Rais, parochial clerk of Bothwell, and John Anderson, sergeant of the barony of Bothwell.

15. Charter by James, (ninth) Earl of Douglas and Avondale, and Lord of Galloway, granting to James Lord Hamilton, for homage and service done and to be done to the Earl, the lands of the barony of Drumsergarth, lying in the sheriffdom of Lanark, of which barony Lord Hamilton possessed a 20*l.* land which he had resigned in the Earl's hands; to be held the whole lands of said barony with the advowson of the prebendal church of Cambuslang, and of the hospital of St. Leonard, to Lord Hamilton and his heirs, from the Earl of Douglas and his heirs, Earls of Douglas and Lords of Lauderdale, in fee and heritage for ever, etc., and as freely as the late Maurice of Moray, knight, lord of the barony of Drumsergarth, or others, the granter's predecessors, held the lands; rendering therefor, annually, if asked, at the feast of the nativity of John the Baptist, and at the chief messuage of the lands, a white rose, in name of blench-farm. Dated at Peebles, 9th February 1454–5. John of Douglas, lord of Balvany, brother german of the Earl, Andrew Ker of Aldtouneburn, William Balze of Hopryk, Walter Twedy, son and apparent heir of James Twedy of Drumelzier, George Ker of Samelstone, and Mark Halyburton, Steward of Kirkcudbright, squires. Signed "James Erl Dowglas." Seal attached, in good preservation, though partly broken.

16. Charter by King James the Second, granting to James Lord Hamilton and his spouse, Euphamia, Countess of Douglas, otherwise spouse of the deceased Archibald (fifth) Earl of Douglas and Lord of Lauderdale, for faithful service done and to be done, the lands of the baronies of Drumsergart and Cormannok, lying in the sheriffdom of Lanark, which lands were in the King's hands by reason of the forfeiture of James, formerly Earl of Douglas and Lord of Lauderdale. The lands to be held to Lord Hamilton, his spouse, and the survivor of them, and the lawful heirs male of their bodies, whom failing, to the lawful heirs whomsoever of Lord Hamilton, of the King and his successors, for services due and wont. Given under the great seal at Edinburgh, 1st July 1455.

17. Letters Patent by King James the Second, appointing James Lord Hamilton to the office of Sheriff of Lanark, with full powers and the usual emoluments. Given under the great seal at Edinburgh, 1st July 1455.

18. Charter by King James the Second, granting to James, Lord Hamilton for his services the lands of Finnarde in the sheriffdom of Renfrew, forfeited by James, formerly Earl of Douglas, etc. To be held for rendering three suits of court at the three chief pleas of the court of Renfrew, and other services due and wont. Given under the privy seal, which is still attached in good preservation, at Stirling, 6th August 1457.

19. Charter by Archibald, (fifth) Earl of Douglas, Lord of Galloway and Annandale, and of the barony of Bothwell, granting to Alice of Craufurde, daughter of the late Robert of Craufurde, and her spouse John Swyft, burgess of Edinburgh, the whole lands of Wester Moffat with pertinents, and the lands of Donsystoun, lying in the barony of Bothwell and sheriffdom of Lanark, in which lands the late Robert Craufurd, father of Alice, died last vest and seised, the lands being in the Earl's hands by recognition in default of the suit of the true heir: To be held the said lands to Alice and John and the survivor of them and the heirs between them lawfully born or to be born, whom failing, to the true heirs whomsoever of Alice, of the Earl and his heirs in fee and heritage; Rendering yearly one silver penny at the feast of

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St. John Baptist on the soil of Wester Moffat in name of blench farm, if asked. Given under the Earl's seal at Bothwell 11th January 1432–3. Witnesses James Douglas of Balvany, the Earl's uncle, Sir William Crichton, of that ilk, knight, Mr. William of Foulis, provost of Bothwell, David de Moravia, Thomas Symontoun, and William of Liberton, burgess of Edinburgh. The Earl's seal is appended in good condition. [This charter was confirmed by King James the First under the great seal at Edinburgh 30th January 1432–3. Witnesses John Forestar of Corstorfin, knight, the king's chamberlain, Mr. Walter Stewart, dean of Moray, treasurer, Mr. William Foulis, provost of the collegiate church of Bothwell, privy seal, Walter Ogilvy of Lunterthin, knight, and Mr. Richard Crag, the king's clerk.]

20. Charter by Thomas Swyft, burgess of the burgh of Edinburgh, alienating to James Lord Hamilton his whole lands of Wester Moffat and Doynsiston in the barony of Bothwell and sheriffdom of Lanark, for the sum of three hundred pounds Scots; To be held by Lord Hamilton and his heirs from the granter and his heirs of the Lord of Bothwell in fee and heritage; Rendering yearly to the lord of Bothwell and his successors, one silver penny, etc. as in the previous writ. Dated at Wester Moffat; Witnesses Gawin Hamilton, Provost of Bothwell, and George Graham, provost of Hamilton collegiate church. Mathew Stewart of Castilton, William Cleland of that ilk, Mr. William Bane, William Stenston of that ilk, Richard Hamilton, and Walter Hamilton. [No year given, c. 1462.]

21. Charter by King James the Third, granting to James Lord Hamilton the lands of Nether Breko, Upper Breko, lands of the east end of Moffat hills, extending yearly to nine merks, also the lands of Coldoune and Byrnt house, called the Forest, extending annually to ten pounds, and one hundred and forty acres of land of moorland, lying between the lands of Kirklee, Gervastoune and Carnfyn, which acres extend yearly to four pounds Scots, lying in the barony of Bothwell and sheriffdom of Lanark, in compensation to Lord Hamilton for his lands of Gledstanys and Auldtown of Machan given by Hamilton to Herbert of Johnstone for Herbert's lands of Moskeswra, Nedirdriffe, and Medokholme also granted by Herbert to William the Grahame; which lands of Nethirbreko and others belonged to Eufamia, Countess of Douglas, in conjunct fee for her life, to fall to the Crown after her decease, and were formally resigned by her, with all her claims thereto. The king further grants that Nethirbreko should be the principal messuage of the whole lands; To be held the said lands of Nethirbreko, Upperbreko, east end of Moffat hills, Coldown, and Brynthouse in fee and heritage, and the one hundred and forty acres of moorland in feu farm to Lord Hamilton and his heirs in tail of the old charter of Hamilton, of the king and his successors; Rendering for Nethirbreko, etc. the services due and wont, and for each of the 140 acres six pennies yearly in name of feu farm. Given under the great seal at Edinburgh, 15 May 1463. [This charter was followed by sasine in due form on 23 May 1463, sasine being given by Sir Robert Hamilton of Preston, knight, sheriff depute of Lanarkshire, under a royal precept (dated 16th May), the life rent of the lands, except Netherbreko, being reserved to the Countess of Douglas, spouse of Lord Hamilton. Witnesses to sasine, William Cleland of that ilk, William of Stenston of that ilk, Alexander Hamilton of Preston, James Inglis, John of Murehede, James Ochstone, Robert Thomson, John Hamilton of Torrens, James Scougale, John Androson and Robert Smyth.]

22. Charter by King James the Third, granting to James Lord Hamilton forty merks of land within the lordship of Bothwell, namely, the lands of Easter Barmukkis, Wester Barmukkis, the lands of Murehed, of Herst, of Fortesset, Stereschaw, of Gudokhills, of Dunteling, of Wester Brekauch, of Swynsty, and of Gartnes, with the common wood of Parkschaws, three acres of the same, the Parkhill, with the meadow and haugh of Bothwell, lying in the sheriffdom of Lanark, in exchange for the whole lands of Kirkandris, in the stewartry of Kirkcudbright resigned by Lord Hamilton in the king's hands, and conferred upon William Lord Monypenny; which forty merks land the king annexes to and incorporates with the barony of Hamilton; to be held to James Lord Hamilton and his heirs of the king and his heirs and successors in free barony and in fee and heritage for ever; rendering the services due and wont. Given under the great seal at Edinburgh, 26 February 1471–2. [Sasine of the lands named, given on 4th March 1471–2, by Patrick of Veddalle, sheriff in that part, in presence of Sir Patrick Skowgall, knight of the order of St. John of Torphychane, George Dowglas, Andrew Hamilton, Mr. Andrew Menteith, priest, Andrew Jak and Walter Leis, as witnesses.]

23. Charter by King James the Third, confirming to James Lord Hamilton and his spouse, Mary Stewart, the king's sister, the lands of the barony of Kynneil and the castle of Kynneil, called Craglyown, and the lands reclaimed and to be reclaimed from the sea by Lord Hamilton and his heirs, with five saltpans already constructed and others to be built; with horse parks, woods, &c. of Kinneil in the sheriffdom of Linlithgow; also the lands of Drumsargart and barony of Cormanock, in the sheriffdom of Lanark and the advowsons of the churches of Cambuslang, Cormanock, and Auldcathy; all resigned by Lord Hamilton and incorporated in the barony of Hamilton: To be held to Lord Hamilton and his spouse, and the survivor in conjunct fee, and to the heirs male of their bodies, whom failing, to the heirs male of the body of Lord Hamilton, whom failing, to the heirs contained in a charter of entail granted to Hamilton by the king's father. Rendering one silver penny yearly in name of blench farm; two saltpans in Kinneil being reserved from the conjunct fee to the heir of Lord Hamilton to supply salt to his household. With special provision for the daughters of the marriage. Given under the great seal at Edinburgh, 12 July 1474. [Printed in Registrum Magni Sigilli, Vol. II., No. 1177.]

24. Instrument of Sasine, narrating that on the date hereof, in presence of King James the Fourth, the notary and witnesses, James Lord Hamilton appeared holding in his hands a letter of inquest or retour of the royal chancery, made at Lanark before John Symonton, sheriff depute of Archibald Earl of Angus, sheriff of Lanark, on Monday, 27th July 1489, which letter Hamilton presented with all due reverence, and immediately petitioned for sasine and possession of the office of the sheriffship of Lanark; whereupon the king taking the retour in his hands, and considering that it was correct and lawfully made, he by the wand (per virgam) which he held in his royal hand, delivered sasine and possession, and for ever assigned to Lord Hamilton and his heirs the office of sheriffship of Lanark with all profits and emoluments, as freely as the late James Lord Hamilton, father of the petitioner, possessed the office, Lord Hamilton taking the oath to the king of faithful administration. These things were done in the city of Glasgow on 1st August 1489, in the place of Robert (Blacader), "by the grace of God and of the Apostolic See," bishop of Glasgow, in presence of the bishop, with John Prior of St. Andrews, Alexander Hume, heir

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apparent of Lord Hume, Mr. Archibald Quhytlaw, secretary of the king, Patrick Blacader, Baldred Blacader, Thomas Stewart of Mynto, John Tyry of Halis, and John Tyry, witnesses. John Thornton, priest of Glasgow diocese, notary.

25. Charter by King James the Fourth, granting to James Lord Hamilton, because of his nearness of blood, his services, and especially his labours and expenses at the time of the royal marriage in Holyrood, and with consent of his Council and the estates of Parliament, the whole lands and earldom of Arran, lying in the sheriffdom of Bute ; to be held the said whole lands and earldom to James Lord Hamilton and his heirs-male of his body lawfully born or to be born, whom failing, to revert to the King and his successors, of the King and his successors in fee, heritage, and free barony for ever: Rendering one silver penny yearly at the principal messuage of the earldom, with clause of warrandice. Given under the great seal at Edinburgh, 11 August 1503.

26. Charter by King James the Fifth, granting to James Earl of Arran, etc., the whole lands and lordship of Bothwell, with castle, mills, etc. in the sheriffdom of Lanark, forfeited by Archibald (sixth) Earl of Angus. To be held in fee and heritage and free lordship, for services due and wont. Given under the great seal at Edinburgh, 16th November 1528.

27. Letters of Legitimation by King James the Fourth, setting forth that the King knew that James Earl of Arran had no heirs lawfully born of his body to succeed him in his heritage, and considering the Earl's nearness of blood to the King, the latter being desirous of the preservation of his blood in the family of the Earl, who belonged to an ancient and honourable house, and having granted the Earl a new infeftment of his lands, etc., to be held to him and his heirs male, whom failing to his natural son and brothers, the King grants to James Hamilton of Finnart, Knight, natural son of the Earl of Arran, Patrick Hamilton of Kyncavil, Knight, and John Hamilton of Broomhill, natural brothers of the Earl of Arran, and to each of them, that whether they be sick or well, or at the time of their decease, they shall be able freely to dispose of all their lands and possessions, notwithstanding their bastardy, etc. ; the King also of his royal power and free will legitimates the said James, Patrick and John, each in their proper order and place as they are named in the charter of entail, to succeed to the Earl in all his lands, etc. Given under the great seal at Edinburgh, 20 January 1512–13.

28. Precept by Mr. George Lokert, Professor of Theology and Dean of the Metropolitan church of Glasgow, narrating that the Dean had granted in feufarm to James Earl of Arran a tiled house (domum tegulatam), a yard, and three roods of land adjoining, which had belonged to the late Mr. David Hamilton, rector of Carstairs, held by him of the late Mr. Richard Murehede, as Dean of Glasgow, lying in the town of Hamilton, between the common street on the south, the entrance of the cemetery of the church of Hamilton on the east, and the lands or tenement of Thomas Wallcar, burgess of Hamilton, on the west, with those three roods of kirkland of Staneflat which the late George Nasmyth had in farm, a competent place being reserved for a granary to the Dean and his successors, to be built on the north boundary, etc., lying in the territory of the burgh of Hamilton, in the sheriffdom of Lanark ; the lands having been granted to Sir David Hamilton, chaplain, rector of Kilbride, and prebendary of the church of Hamilton, and resigned by him in favour of the Earl of Arran, in whose favour the granter

directs this precept to John Hamilton of Roploch and others, to give sasine in due form. Dated at the city of Glasgow, 12th October 1538. Signed "Geor. Lokert decan$^{\tilde{n}}$ glas$^{\tilde{g}}$ manu propria, etc." Seal appended, bearing three boars' heads, two and one, with two crosses, one on the dexter and the other on the sinister side of the shield. [Sasine followed on 30th October of the three roods and of the house, the three roods being described as lying in the territory of Hamilton, and called the Staniflat. One of the witnesses is Mr. Arthur Hamilton, provost of the collegiate church of Hamilton.]

29. Charter by King James the Fifth, granting to James Hamilton, son and heir apparent of James Earl of Arran, etc., the lands and barony of Hamilton, the lands and earldom of Arran, and all the lands named in the preceding writs, excepting Bothwell, all to be incorporated in one barony, to be called Hamilton, of which the castle of Hamilton, now built, or to be built, should be the principal messuage. To be held to the said James Hamilton younger and his heirs, underwritten, namely, the barony of Hamilton (except the lands and earldom of Arran) to James Hamilton younger and his heirs male of his body born or to be born, whom failing, to Gawin Hamilton, second son of the Earl, and his heirs male, etc., whom failing, to John Hamilton, lawful son of the Earl and his heirs male, etc., whom failing, to the heirs male whomsoever of the Earl's body lawfully to be born, whom failing, to Gawin Hamilton, brother (german) of the Earl, and the heirs male of his body, whom failing, to David Hamilton of Broomhill, and his heirs male, *ut supra*, whom failing to Andrew Hamilton of Newtown, and his heirs male, etc., whom failing, to John Hamilton of Candor, and his heirs male, etc., whom failing, to Gawin Hamilton of Orbestoun, and his heirs male, etc., whom all failing to the nearest lawful heirs of the Earl; the lands and earldom of Arran to be held to James Hamilton, younger, and the two other sons of the Earl, and to his brother Gavin and their heirs male, whom failing, the lands to revert to the Crown. The charter is dated at Edinburgh, 22 October 1542.

30. Charter by King James the Fifth, granting to James Hamilton, son and heir-apparent of the Earl of Arran, and to the same series of heirs as in the longer destination in the previous charter, the lands and barony of Mauchaneshire, the barony of Drumsargart, the half barony of Stanehouse, the office of the sheriffship of Lanark, all in the sheriffdom of Lanark, and the lands of Kirkynnan in the stewartry of Kirkcudbright, all which are incorporated in one barony of Mauchaneshire, and the tower of Dalserf in that barony is declared to be the principal messuage of the whole. Given under the great seal at Edinburgh, 22 October 1542.

§ 2. *Charters of Knightslands, and other lands in Arran, acquired from the Stewarts of Bute*, 1357–1549.

31. Charter by Robert Stewart of Scotland, granting to Sir Adam of Folartoun, knight, heir of the late Reginald of Folartoun, Lord of that ilk, for his homage and service, the granter's whole lands of Knychtisland, with pertinents in Arran, and within the sheriffdom of Bute; to be held to Adam and his heirs of the granter and his heirs in fee and heritage for ever, for performance of common suit of court at the Castle of Bradwok (Brodick) and for ward and relief as they happen. With clause of warrandice. Witnesses, Sir John Lindissay, Lord of "Turriscrag" (Craigie ?), Gilbert of Cunningham, precentor of the church of

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Glasgow, John Stewart, son of Sir Alan Stewart, Nigel of Carrutheris, the granter's chancellor, and Ranulph of Crawford. [No date; 1356–1371.] Fine seal attached; the Scottish lion surrounded by the royal tressure. Above the shield is a small coronet with three points like trefoil or strawberry leaves, legend not decipherable.

32. Retour made at Rothesay in Bute in presence of Ninian Stewart, sheriff of Bute and Arran, by the following jurors, Robert Bannatin, Ninian Bannatin of Camys, John Glas of Ascok, John Spens of Camys, James Stewart of Kilcattan, John Stewart of Neilston-side, Robert McVille, Rankin Fullarton, Patrick McGilpatrick, Robert Jamesone, Morice McEwen (Eugenii), Robert Stewart, William Bannatin of Dunawlat, John Jameson of Meknach, Archibald Bannatin of Quogach, Donald McKynlaw, Alexander Glas, declaring that John Fullarton was lawful and nearest heir of his father the late John Fullarton in nine merk lands in the island of Arran, and sheriffdom of the same, the lands being now valued at nine merks Scots yearly and nine bolls of barley in time of peace, held of the King in chief, and in his hands by reason of ward from the death of the late John Fullarton, for twenty years, and two years in default of the heir's entry. Retour dated 6th November 1515. [Sasine given on 3 November 1516, of the nine merk lands of Dumruden in the Isle of Arran to John Fullarton of that ilk; bailie, Adam Stewart, deputy for Ninian Stewart. Witnesses, Alexander Coningham, younger, of Colzein, John Patecru, John Fullarton, John McCharchar, and John Neilson. Another sasine of the same lands was given by Ninian Stewart as bailie depute of Bute and Arran, on 22 May 1539, to John Fullarton of that ilk, as heir of his father, who had died ten years before 16 May 1538, the lands having been in the King's hands by reason of ward, the yearly rental being 6*l.* Scots. Witnesses to sasine David Blair of Adamtoun, Ninian Bannatyne of Cames, Mr. John Dunbar, John Crauford, and James Tait.]

33. Procuratory of Resignation by John Fullarton of that ilk, Lord of Corsby, by which he resigns the lands of Drumrudyr or Knightslands, in the King's hands, in favour of James Stewart, sheriff of Bute and Arran, and his heirs. Dated at Irvine, 7th November 1541. Witnesses: William Conyngham of Conynghamhead, John Mure, provost of Irvine, Robert Stewart of Killecroye, William Stirling, burgess of Bute, George Abbyrnethe, Malcolm Makewin, and Robert Makgilnowe. Seal appended. Charges three branches of a tree, two and one. Legend S. IHOHANNIS FOVLARTOVNE. [The grantee duly received sasine of the lands on a precept from King James V., dated 3 December 1541, directed to Robert Stewart of Kerecroy and John his son and heir apparent. Sasine given 25 February 1541–2. Witnesses: Robert Stewart of Arosmoir, Archibald Cwnybroich of Skowlok, Archibald Bannatin of Kerelawmyn, Peter Spens, Donald Spens, Alexander Steuart, and Gilcolm McKoin.]

34. Charter by James Stewart, sheriff of Bute, granting to his son Alexander Stewart and the lawful heirs male of his body, etc., the nine merk land of Knychtisland, *alias* Tonreddyr, in the parish of Kilmorre, in the Isle of Arran. To be held for a penny yearly of blench farm. Dated at the parish church of Largs, 16 May 1548. Witnesses: Alexander Stewart of Kildonan, John Stewart of Kyllecroye, John Fresall of Knok, Robert Stewart in Neilstown-syde, James McWeryte, Fynlaw McWerite, John Jameson, and David Neill, notary public. [This writ was followed by the usual sasine, and also by a resignation dated 30 April 1552, in favour of James Duke of Chatelherault, Earl of Arran

and Governor of Scotland, made by Alexander Stewart (by his procurator), in presence of William Commendator of Culross, Mr. Arthur Hamilton, provost of the collegiate church of Hamilton, Patrick Hamilton of Bogsyd, Sir Colin Watson, Sir John Spittell, and John Hamilton in Nelisland, "questore fructuario" of the lordship of Hamilton. Done in the church (templo) of Hamilton.

35. Charter by John Stewart of Ardgowan, granting to Ninian Stewart, sheriff of Bute, the forty pound land of old extent, called the ten penny lands, Kildonan, Twa furlongs, Dupenny-lands, with the three Largs, two Keskedelis, Glenascasdale, and Clachane, in the Isle of Arran, and sheriffdom of Bute, in exchange for the grantee's twenty pound land of old extent called Baloch, Scheane, and Auchinquharne, with an annual rent of 24 merks Scots, to be uplifted from the barony of Abernethy, in the sheriffdom of Perth: To be held to Ninian Stewart and his heirs and assignees, of the King and his successors for the services due and wont. Dated at Edinburgh, 24 February 1502–3. Witnesses: Archibald Earl of Argyll, etc., Mathew Earl of Lennox, etc., John Elphinstone of Airth, David Betone, Alexander Bannantyne, Morice Maknachtan, John Paterson, John Gray, and James Young. The seal of the granter is gone from this writ, but a precept of sasine granted by him on the following day has his seal appended, bearing a lion rampant surmounted by the Stewart fess. Legend S. Iohanis Steuart.

36. Extract registered Contract betwixt James Earl of Arran, etc., Governor of Scotland, and James Hamilton, his eldest son and apparent heir on one part, and James Stewart, sheriff of Bute, on the other part, to the effect that James Stewart shall infeft the Earl in frank tenement and liferent for all the days of his life, and James Hamilton his son in fee, in all lands and others within the Isle of Arran and sheriffdom of Bute in which Stewart is infeft or in which his father the late Ninian Stewart died seised, reserving the office of sheriff of Arran and Bute. In return the Earl shall pay to Stewart four thousand merks, under certain conditions, and shall also cause Stewart to obtain feu infeftment of the office of the chamberlainry of Bute, he finding security to the Queen for payment of the rents and duties. The Earl shall further cause Stewart to obtain infeftment in feu farm of his steading of the lands of Cumbray extending to ten pound land of old extent, he paying therefor the yearly dues owing to the Castle of Dumbarton; providing, however, that the Earl shall not be obliged to warrant the lands and office to Stewart at the Queen's hands. It is also agreed that Arran shall "do his diligence" to reconcile the Earl of Argyll and Stewart, and that he shall stand a good friend to the sheriff in time coming, and shall help him to his kirks of Bute which he had previously. From this contract the five merk land of Corrygills is excepted to the sheriff, as pertaining to his office of sheriffship. Dated at Edinburgh, 28 May 1549 in presence of John [Hamilton], bishop of Dunkeld, Neil Layng, Master Andro Oliphant, notaries public, Robert Stewart in Neilsonsyde, John Hamilton of Nelisland, and Robert, master of Semple. Registered in the books of council, 29th May 1549.

37. Charter by James Stewart, sheriff of Bute, in terms of the preceding contract, granting and alienating to James, Earl of Arran, etc., in liferent and to James Hamilton his eldest son and heir-apparent, his heirs and assignees, the forty-pound lands of old extent, called the ten penny lands [as described in No. 35 supra], also the nine merk land of Tonrydder *alias* Knychtislands, with the island of Pladow, and with

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towers, fortalices, etc., patronage of chapels, etc., lying in the island of Arran, and sheriffdom of Bute; to be held of the queen and her successors for service due and wont. Dated at Edinburgh, 4th July 1549; witnesses, John [Hamilton], Archbishop of St. Andrews, primate of Scotland, legate, etc., Robert, Master of Semple, Mr. Gawin Hamilton Dean of Glasgow, William Hamilton of Humby, John Hamilton of Nelisland, Mr. Alexander Forrous, provost of Fowlis, Robert Stewart in Neilstown side, and Mr. Andrew Oliphant, notary public, who leads the sheriff's hand at the pen, he being unable to write. Seal appended; quarterly, 1 and 4 a lion rampant; 2 and 3 the Stewart fess chequé. Legend S. Iacobi Stevart. [Following upon this charter is a writ stating that on 24 June 1551, Stewart (by his procurator) appeared before the lords of Council and session and desired that the contract [No. 36 supra] might be deleted from their books as it was fulfilled in all points.]

§ 3. *Charters relating to the family of Dalyell of Bracanrig in Lanarkshire*, 1400–1525.

38. Transumpt of Charter by King Robert the Third, confirming a charter, dated at Edinburgh, 6th May 1400, by David Fleming, lord of Bygar and of Lenze, granting to his beloved and special (friend), Sir John of Dalyell, knight, for his service done and to be done the whole lands of Brakanryg, lying within the barony of Strathavan in the sheriffdom of Lanark. To be held to Sir John and his heirs, of the granter and his heirs in fee and heritage, for performing yearly three pleas in the granter's courts to be held at Strathavan at the three principal pleas. With clause of warrandice. Witnesses to Fleming's charter, Sir Patrick of Graham, lord of Kincardine, and Sir William of Dalyell, lord of Eliok, knights, William of Hamilton, younger, Andrew of Hamilton, Hugh of Awldynston, and John of Uchiltre. Confirmation dated at Linlithgow, 3 June 1400. Transumpt made at the instance of Peter of Dalyell of Carlowry, and dated at Edinburgh, 11th March 1464–5, John Stewart of Cragy, Edward Mowbray, Henry of Preston, and Thomas Layng, notary public, witnesses.

39. Charter by Malcolm Flemyng, lord of Cummirnald and of Lenze, granting to his beloved friend Robert of Dalzel, son of the late Sir John of Dalzel, knight, lord of Easter Carlowry, the lands of Bracanrig, in the barony of Strathavon and sheriffdom of Lanark, which lands Dalzel had resigned; to be held to Dalzel and his heirs male of his body born or to be born, whom failing, to his nearest and lawful heirs whomsoever, of the granter and his heirs, lords of Cummirnald, in fee and heritage, for performing three pleas in court, etc. With clause of warrandice. Dated at Cummirnald, sixth July 1437. Witnesses, Robert Flemyng, son and heir of the granter, William Somervil, son and heir of Thomas Somervil, lord of Carnvith, William Boyd of Badynhath, William of Cleland of Clelandton, Thomas of Dalzel of Buthax. Seal gone.

40. Notarial instrument narrating that in presence of the notary and witnesses under written, John of Dalzell of Bracanrig produced a charter of the lands of Brownside, sealed with the seal of the lord of Darnlie, bearing quarterly fess-chequés and fleur-de-lis, and on its circumference "sigillum Alani Stewart dñi de Dernle," which charter the notary read to the effect that Alan Stewart, Lord of Dernle, granted to Robert of Dalzell of the Bracanrig for his service done and to be done during his whole lifetime, the lands of Brownsyde, lying in the barony of Strathavan in the sheriffdom of Lanark, to be held to Dalzell his heirs and assignees of the

granter and his heirs in fee and heritage, for rendering yearly three suits of court at the granter's three capital pleas (placita) at Elanetoun. With clause of warrandice. Dated at Cruxtoun, 5th December 1429 ; witnesses, John Simpyll, lord of Elzottstoun, Robert Stewart of Cragoufak, William of Maxwell of Akynheyd, Alexander Stewart of Rasc. After the publication of this charter John of Dalzell demanded instruments from the notary, or a transumpt. These things were done in the town of Lanark, in the lodging of William Bell, burgess there, on 27 May 1447, before Sir Robert Hasty, chaplain, Alan of Dalzel, Thomas of Lowys, and Robert Hasty.

41. Charter by John of Dalzel, lord of Brakanryg and of the half part of Threpwode, granting to Hugh Cambell, brother of Sir George Cambell, knight, lord of Loudoun and sheriff of Ayr, and to Katrine of Blare, his spouse, conjointly and separately and the survivor of them, and to the heirs and assignees of Hugh, the three merk land of old extent, of his lands of Brakanryg, lying in the barony of Strathavan, within the sheriffdom of Lanark, with the houses and mansion which at the time of writing Thomas Michaelson inhabited ; to be held to Hugh and Katrine of the granter and his heirs in fee and heritage, for rendering one penny Scots yearly at Whitsunday in name of blench farm, if asked. Dated at Glaysteyr, 12 April 1451. No witnesses. Seal of granter appended. Shield bearing the device of a human figure, naked, with right arm extended outward from the body, the elbow somewhat bent, while the left arm hangs down by the side. Legend S. Iohannis de Dalyel.

42. Instrument of Sasine (not notarial), written in the vernacular in the following terms "Sen meritabil and medful thyng is to ber vitnes to the schoutfastnes and mast in the cause qhuar in the consellyn of schutfastnes may hurt or ingenir pregatys till innocentis, her-for it is yat I Jhone of Dalzel of the Brakynreg and of the half of the Threpwode berris trow and schoutfast vitnes that I my schelf witht myn avne hande gaf heritabil stat and sesyn of forty selynvort of my landis of the Brakynreg of ald extent liand within the scherafdom of Lanark within the barony of Strathaven til Hochon Cambel brothir to Schir Gorg Cambel, scheraf of Ayr, and to Katrina of Blar his spous and to the langar lefand of thaim and to the ayrris and the assignas of the said Hochon fra me and myn arris in fe and heritag for euirmar efter the tenor of his charter the qhuelk I mad til hym and tham thar apon befor thir vitnes qhuen I gaf the said Huchon and Katrina heritabil stat and sesyn in propir person, Gorg Cambel of the Galston, Gawyn the Rose of the Haynyn, Gorg Mur vmqhuel son til Allaxander Mur, William Bard of the Kerkvode, Jamis of Cunigame son til Androw Cunigam of Grougar, Schir Robert Haste. In the witnes of the qhuelk thyng I the said Jhone of Dalzel has put to my sel with myn awn hand at the Brakynreg the four and thuenty day of the monetht of Aperil the zer of our Lord a thousand four hundretht fifte and ane zer. [Seal gone.]

43. Charter by John of Dalzel, lord of Brakynreg, etc., granting to the same Hugh Campbell and Katrine his wife, the two merk lands of old extent of Brunsyde, lying in the barony of Strathavan and sheriffdom of Lanark with the houses and mansion which at the time of writing William Hardgrep inhabited; To be held for one penny yearly in name of blench farm. With clause of warrandice. Dated at Glayster, 5th September 1451. No witnesses. Seal appended, in good condition. [A document in the vernacular, in terms similar to No. 42 *supra*, states that sasine of the lands of "the brown syde" was given by the granter's

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own hand in terms of his charter "red apon the ground of that ilk befor thir wytnes James of Douglas of Peryston, Jon of Dalzell my brother, Schir Robert Hasty, chaplane, Thomas Hasty, Will Hardgryp, Jon Donaldson, Thom Smyth, John Sper." 5th September 1451.]

44. Letters by the same John of Dalzelle, appointing the same Hugh and Katrine as his procurators "giffande and grantande to the forsaide Huchon and Katryn his spouse coniontly and seuerally and to thair substitutis and assyngnais quhatsumeuer thai be, my ful and playn power and special mandment to tak up lift and rayse and resafe and in thair use to turn als mekil of my malis and annuale rentis and ony othir my gudis and profytis of my landis of the Brownside and of the Brakanrige and of the Threpewod as my gude modir Annas of Hamylton or ony in hir name or ony otheris thruch cause of me vptakis or sal vptak of the landis of the Brownside" of which lands Hugh and Katrine are infeft in terms of the preceding charters. Dated at the granter's place of the Sandyholm, 20th December 1451. Witnesses "Georg Mur sone quhilom til Alexander Mur of the Lymflar, Thom Inglice duellande in Lowdon in the tym of the makyng of thir present letteris, Schir Robert Hastee, chapellan, and Thom Hastee.

45. Bond by the same John of Dalzell to the same Hugh Campbell, in the vernacular. "Be it kend till all men be thir present letteris me Jhon of Dalzel of the Brakynreg and of the half of the Threpwod for til be bundyng and stratly oblisit and throw the tenor of thir present letteris stratly bandis and oblisis me be the fatht and treuth of my body the hale evangel tvycht til ane worthy man Hochon Cambel brothir to Schir Georg Cambel, knight, Lord of Lowdon and Scheraf of Air, that I the forsaid Jhon of Dalzel sal nothir sel, set, na in wodset na formal tak, na analy na na condecion mak of nan of thir landis vndyr wertyn, that is to say, thuenty schelynworth in the Sandeholm an hunder schelynworth in the Threpwod and fife mark in Torbrekkis and thua mark in Kilcadzowlaw thua mark in the Farholme and an hunder schelyn in the Brakynreg and sex mark in the Brunsyde and half a mark in the Bruncastel, but lefe askit and giffyn of the forsaid Hochon be his letter and sele of witnasyng of lefe, this condecion lelely and trouly to be kepit for al the dayis and tym of me the said Jhone of Dalzel for al the dayis of my life and gif it hapnis me the forsaide Jhon of Dalzel to brek this condecion in all or in part than I oblis me in thre hundir markis and gud and vsuel monetht of Scotlande to be payit to the saide Hochioun his airis excecuturis and assignes on the he autar in the kerk of Lowdoun at anys and togedyr, within thuenty dayis efter this condecion beand brokyne the qhuelk condecion the said Jhon was oblisit to me caus of sertan sum of siluer and golde the qhuelk I deliuerit til hyme be caus of mariag of his son and air; and al thir landis for-nammyt ar fre of ony analynacion as is befor-wertyn, the day of the makyn of thir present letteris, and al thir condecionis lelely and trowly to be kyepit but fraud or gile or ony excepcion I haf geffyn the fatht of my body the haly ewangel tvycht; in the witnes of the qhuelk thyng I the said Jhone has put to the sele of myn armis with myn awne hand at the Glastyr the ferde day of the monetht of Septembar the zer of our lorde a thousand four hundretht fifte and ane zer. Seal appended.

46. Procuratory of Resignation by John of Dalzell of Bracanrige, appointing Amer Gledstanys and Herbert Gledstanys, William Barde of Kirkwoude and William Mowate his procurators, with full power to resign the lands of Brownside lying in the lordship of Elauetown in

the barony of Strathavan and sheriffdom of Lanark into the hands of a noble dame, dame Katrine of Seton, lady of Elanetown and of Carlauerok, superior of the lands, with all claim of right or possession, quitclaiming the same for himself and his heirs of line and tailzie so that neither they nor their assignees nor any one in their name may make any claim to the lands. Dated at Glastir in Loudoun, 16th October 1453; witnesses, Sir John Loudon, chaplain, Henry Mur, Thomas Hastie, and John Donaldson. Seal appended. [This writ was followed, on the same day, by another formal resignation, and also by a quitclaim and discharge for Dalzell and his heirs of line and tailzie, of all right he had in the lands of Brownside in favour of Hugh Campbell and Katrine his wife. On 7th December 1453, at Glaster in Loudoun, and on the 19th of same month at Brounside, two charters (duplicates) of the lands of Brounside were renewed to Campbell and his wife. The witnesses to the second charter and to a resignation or quitclaim of same date, were George Campbell of Galston, Robert Lokart of Barr, John Cambell, son of Duncan Campbell, James Conygam, son of Andrew Conygam of Drippis, Andrew Conygam, William Barde of Kirkwod and Adam Hamylton. These charters were followed by resignations, &c., *ut supra.*]

47. Charter, written in the vernacular, by Katrin of Seton, spouse of Sir Har[bert, Lord Maxwell], &c., confirming, with the consent of her spouse and of John Stewart lord [of Darnlie], the charter by John of Dalzel, of the lands of Brounside in favour of Hugh Cambell and Katrine his spouse. Dated at ———, 23 December 145[3]. This charter is much mutilated, nearly half of it having been torn away. The year of its date is assumed from the previous resignations. The witnesses whose names are preserved are Harbart of Gledstanys, Robert of Gledstanys, and Thomas of Cathis. [The writ is indorsed as of date 23 December 1453.]

48. Paper writ, a Tack or Lease by the same lady to Hugh Campbell. "Be it kend till all men be thir present letteres me Katerine of Setown, spows vnqwill to Sir Herbert lord Maxwell and lord of Carlauerok, in my pur wedowhad, nocht constreyneit, til haf lattyn to borgh to Huchone Cambell of the Brownsyd all and hall the landis of the Brownside wyth thair pertinentis, the qwilkis I gert recognis in my handis as owr lord to the forsaid landis for certan resonabill causis and speciali for lak of the male of the said landis of the Brownside sen the dede of Robert of Dalzell, of the qwilk male the said Huchone and I ar fullely acordit; and tharfor I charge my bayle Arthur of Hamiltoun that he intermet nocht wyth the said landis of the Brownside in ony thing beand contrar to the said Huchon tuching the said landis and at the said Arthour be help and suple to the said Huchone in the said landis of the Brownside as he will haf a special thank of me in tyme cumyng. In witnes of the qwilk thing to thir presentis I haf set my sele at Carlauerok the xvi day of Junij the zer of owr Lord M° CCCC° LIIII° befor thir witnesis Robert lord Maxwell and of Carlauerok, Jone of Maxwell sone and ayr to the said lord, Edward of Maxwell of Tynwald and Aymer of Gledstanis wyth mony otheris. Seal impressed—almost wholly defaced, the only charge now visible being the Seton crescents in the third quarter of the shield.

49. Charter by John Dalzelle, lord of Sandyholm and of half of Threpwode, granting to Hugh Campbell and Katrine Blare his spouse the lands of Bracanrig, in the barony of Strathavan, etc. At Loudoun, 20 April 1454. Witnesses, Alexander Stewart of Galstoun, William Barde

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of Kirkwode, Martin Barde his son and apparent heir, Bernard Lokert, William Mowat, brother-german of David Mowat of Stanehouse, James Conygham, son of Andrew Conygham of Drippis, John Dulglace, Sir Robert Hastee, chaplain, Walter Lepar. [This was followed on 4th June 1454, by a procuratory of resignation in due form, dated at Glaster; also sasine on 28 July.]

50. Charter of confirmation (written in the vernacular) by Robert Lord Fleming and Lord of Cummernald, confirming the above grant of Bracanrig to Hugh Campbell and his spouse. Dated at Cummernald, 27 April 1454, before Thomas Fleming, brother of the granter, Robert Boid of Badynhath, and Edward Flemyng, witnesses.

51. Notarial Instrument of Sasine, narrating, that James Cambel of Brownside passed personally to the lands of Bracanrig and there gave sasine to his son and apparent heir Hugh Cambel of the forty shilling lands of Bracanrig, in the barony of Strathavon, etc. Done in the town of Brakenrig, on 31 October 1486. Witnesses, William Barde of Kirkwood, Martin Bard, Walter Waus, John Hardgrip, and Sir John Weir, chaplain.

52. Obligation by Robert Dalzell of the Sandyholme, binding and obliging himself by the faith and truth of his body, and his heirs both of line and tailzie to James Campbel of the Brownside and his heirs and assignees, that if it happen the granter or his heirs, etc., to "mak interruptione, clame or impediment or gancallyng to the said James his airis and assignais in the pessabill brouking and joissyng of the lands of the Bronsyde . . . or the landis of the Bracanryg . . lyand within the barony of Awandail" . . the which lands the late John Dalzel of the Sandyholm the granter's father had given to Hugh Campbell of the "Glastyr," father of James, that within forty days after such interruption, etc., the granter shall give as much land, and as good, to James Campbel, with charter, etc., notwithstanding that the former charters remain in force, and shall also pay six hundred pounds Scots upon the high altar of the kirk of Lowdoun, as costs, etc. Dated at "the Glastyr," 27th November 1490. Witnesses, Sir John Redpath, chaplain, John Park, Adam Browne, John Hasty and John Guthre. Signed "Robert Dalzel w^{t} my hand." [On the same day and before the same witnesses the granter signed and sealed the following renunciation "Be it kend til al men be thir present lettres me Robert Dalzel of the Sandyholme til haf renuncyt, giffyn our and adnullyt and be thir my present lettres renuncis giffys our and adnullys al charterys, instramentis, indenturys and al other lettres pertenand to Johne Dalzel vmquhill my fader or now pertenand to me of the landis of the Bracanryg and of the Bronsyd with ther pertinentis lyand within the barony of Awandail and the scherefdom of Lanark; the quhilk lettres forsaid neuer to be of force nor effect na awail to me the said Robert na to my airis of lyne nor of talze successouris nor assignais in tym to cum bot alvtraly and clerly to the vtilite and proffyt of Jamys Campbel of the Bronsyde his airis and assignais for euermare. In witness of the quhilk thing I haf hung to my seil to this present wryt at the Glestyr" etc. Signed "Robert Dalzel wytht my hand." Seal appended bearing as before a naked human figure with arms extended. Legend "Sig. Roberti Dallyiell."

53. Letters by Archibald Earl of Angus and lord of Douglas, in virtue of letters under the great seal giving to him the ward of all the lands and others in the King's hands by reason of ward through the decease of the late Robert Lord Fleming and of Cummirnald, granting and assigning to James Campbell of the Brownsyde, his heirs, executors,

and assignees, the ward of the lands of the Brakanrig, in the barony of Avondale, etc., being in ward as tenandry to the said Lord Fleming: To be held freely until the ward expires. Dated at Edinburgh, 15th March 1491–2. Neither signed nor sealed.

54. Precept of Clare Constat by John Lord Fleming, lord superior of the lands of Newtown and Bracanrig, in the barony of Strathavon, directed to Archibald Hamilton of Carlisland, Robert Campbel of Gyltyre and James Nesbyt of Grenholme, for infefting Hugh Campbell as nearest and lawful heir of his father the late James Campbell of Brownside, in the lands of Bracanrig. Dated at Cummirnald, 29th September 1500. Witnesses: George Fleming of Kylmalcolm, Peter Fleming, William Cochran, Archibald Kneland, and John Mason. Seal wanting.

55. Notarial instrument of sasine proceeding upon and narrating a precept by John Lord Fleming directed to Robert Lokhart, his bailie, for infefting John Campbell, son and heir of the late Hugh Campbell of Brownside, in the lands of Bracanrig. Done at the principal mansion of the lands before Thomas Lindsey, James Allanson, and George Torrens. 1st March 1523–4.

56. Notarial instrument proceeding upon and narrating a Precept of Clare Constat (dated at Cruxtown, 26th April 1523) by John (Stewart), Earl of Lennox, etc. for infefting John Campbell, son, as nearest and lawful heir of his late father, Hugh Campbell, in the lands of Brownside. Sasine given 1st March 1523–4. Same notary and witnesses as in preceding writ.

57. Precept of Clare Constat in favour of the same John Campbell, in the lands of Bracanrig, by Malcolm Lord Fleming. Dated at Cummirnald, 28 April 1525. Signed "Mechalm." Seal appended, legend illegible; charges on seal quarterly; 1 and 4 a chevron within a double tressure; 2 and 3 six rosettes or cinquefoils three and three. [This writ was followed by sasine given in due form. Witnesses: John Carnduf, Walter Small, Andrew Crwnzean and John Crwnzean, 1st June 1525.]

§ 4.—*Miscellaneous Charters and similar Writs.* 1395–1598.

58. Precept of Sasine by John of Hamilton, lord of Cadzow, addressed to his uncle Sir John of Hamilton, lord of Fingaltown, for infefting Adam Forester of Corstorfyne in the lands of Bawdristown, in the constabulary of Linlithgow, within the sheriffdom of Edinburgh, in terms of a charter previously granted. Dated at Maneristown 21 May 1395. Seal gone.

59. Bond of manrent by James, first Lord Hamilton, to George, fourth Earl of Angus. "Be it kende til al men be thir present lettris me James lorde hamiltone etc., to be cummyn man, and be thir present lettris becummys man of speciale seruice and retenew for al the dayis of my lyfe To a he and michty lord George Erle of Angus lord Douglas and wardane of the est and midle marchis of Scotlande foranentis Ingland, before and agaynis al thaim that lyfe or de may, myne allegiance til oure souerane lorde the king and my bande of seruice til our souerane lady the quene Mary now present alanerli outtane; promitting me al and sindry detful poyntis and articlis in bande of retenew contenit to obserue and kepe to my lord forsaide as afferis for al the saide tyme: In witnes of the quhilk thing To thir my lettres I haf gert set my sele at Temptalone the xxiij day of the moneth of May the yere

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of oure lorde a thousande foure hundreth fyfty ande sevin yeris." Seal attached, somewhat broken.

60. Charter by King James the Fourth with consent of the three estates of his realm granting to David [Hamilton], Bishop of Lismore, and to his successors, bishops of Lismore, and to their tenants inhabiting the lands of Dunvne, present and future, the liberty of taking heather peats and turfs (genestam, petas et glebas, wlgariter le hadder, petis et turffis) in all the moors and marshes within the king's lands and lordship of Cowell, where they have been accustomed to take such for their fuel and other necessary uses. To be held the said heather, etc. to the bishop, his successors and tenants, of the King and his successors in heritage; with the common passages and free entry and exit to the moors and marshes in all places necessary for leading the fuel, etc., freely and quietly. Given under the great seal at Edinburgh, 16 February 1505–6. Thirteen seals have been appended to this document. Of these seven remain, the great seal (broken); the privy seal; the seals of Archibald, Earl of Argyll, Alexander Lord Home, James (Beaton), Abbot of Dunfermline, the common seal of the burgh of Edinburgh, and a seal, of which the legend is undecipherable, bearing quarterly 1st and 4th a lion rampant; 2 and 3 a fess cheque with a label of three points in the 2nd quarter, and a mascle or mullet in the 3rd.

61. Letter by King James the Sixth, addressed to the Lords of Council and Session, collectors-general, and other officers, intimating that the King had appointed John Lord Hamilton to be captain of the Castle of Dumbarton, with all duties assigned or pertaining thereto, and in special the rents annexed of old to the keeping of the castle, together with the sum of 550 merks augmented and assigned thereto from the surplus of the third of the Abbacy of Cross-raguel, to be paid yearly to Lord Hamilton by the collectors, from the year 1585. The King, therefore, charges all collectors and others to pay the said sum to Lord Hamilton. Given under the privy seal 1st November 1586.

62. Letter of obligation by King James the Sixth, in favour of John Lord Hamilton, Commendator of Aberbrothok, in consideration of his near descent from the King's family, the services of his late father (the Earl of Arran) as Governor of Scotland, the loss of the duchy of Chatelherault ("the tytill and rent thairof, sormonting be zeir threttie thowsand frankis, quhairin he was heretablie investit, wes takin from him and his posteritie be ressone of his assistance gevin to the removing of strangeris and foreneris furthe of our realme"), his "abyding withe our said vmquhile darrest mother in mony of the trublis and afflictionis quhairin scho fell," and the services of both father and son, as enumerated, especially Lord Hamilton's "faythfull and cairfull attendence vpoun our princlie persone at dyveris perrellus tymes in the feildis," and because Lord Hamilton had presently, at the King's wish, given up the captaincy of the Castle of Dumbarton, for which services the King desired to reward him, and had no other means to do so than that the abbacy and lordship of Arbroath, that is the temporalities thereof, should be conferred on Lord Hamilton, the King, therefore, with consent of the officers of state, etc. faithfully promises that if in the current parliament or the one following, the annexation of the kirklands to the crown, and the erection of temporal lordships, be not annulled, then a sufficient disposition of the whole abbacy shall be made to John Lord Hamilton, his heirs male and posterity, for the services detailed in further charters, or a yearly sum of 1,000 marks in name of blench. With

other provisions intended to secure Lord Hamilton if the annexation of church lands be annulled. Given under the signet at Holyrood House, 6th January 1597–8. Signed "James R.," "Lenox," "Fyvie," "Blantyre," "Neubotle," "S. Robert Meluill," "R. Cokburne," "Trakqwair."

Division II.—Miscellaneous Writs of a Historical Character, other than Correspondence.

§ 1. *Bonds of Manrent to first Earl of Arran.* 1503–1528.

63. Indenture between James, Earl of Arran, etc., and Alexander (Graham), Earl of Menteith, by which they bind themselves to "stand in afauld band of kyndenes" to each other, and to supply, maintain, and defend each other, their kin and friends in all their lawful and "honest" (honourable) quarrels, and to take each other's part when required. And both parties bind and oblige themselves to observe this bond, by the faith and truth of their bodies, "the grete aith sworne, the haly euangelis tuichit, and nocht to cum in the contrair heirof in tyme to cum vndre the pane of infame, periure and inhabilite." Signed and sealed in duplicate. Witnesses: William Earl of Montrose, William Murray of Tulibardine, Walter Forester of the Torwood, knights, John of Knok, son and apparent heir to Uchtre Knok of Cragans, David Murray of Megoure, David Murray of Dowlary, and Patrick Grahame. At Edinburgh, 20th November 1503. Signed "Alxr erle of Monenthent." No trace of seal remains.

64. Bond of manrent, by William Wallace of Cragy, to the Earl of Arran.

"Be it kend till all men be thir present letteris me William Wallace sone to vmquhile Hew Wallace of Cragy, to becumin man and seruand to ane noble and michty lord James Erle of Arane, lord Hamiltoun, etc., and sall serf him lelely and treulie with my kyn and freyndis that will take my part bayth in peax and weir at his will and warnyng, and sall tak ane afauld plane part with his lordschip in all and sundry his actionis, materis, causis and querelis leueful and honest (honourable) movit or to be movit, and sall gif him the best counsale I can, gif he ony askis at me, and I sall consele the counsale he schewis to me; I sall nouther se nor heir his scath bot I sall warne him therof and lat it at my power; my houssis and strenthis sal be opin to his lordschip and ressaue him therin at his plesour. And this my letter of manrent and trew seruice with my kyn and freyndis foresaid for all the dais of my life till indur, myn allegeance to our souerane lord the King my lord gret governour of Scotland for his tyme alanerly except and outtane; To the observing keping and fulfilling of all and sindry the premissis I bind and obliss me faithfully be the faith and treuth in my body but (without) fraude or gile. In witnes of the quhilk thing to thir present letteris subscriuit with my hand on the pen my sele is affixt at Edinburgh the xviij day of Julij the yere of God 1^{m} v^{c} and fiftene yeris, before thir witnes ane reuerend fader in God David Bischoip of Ergile, Master Robert Barry archidene of Ergile, George Ross of Hanyng Adam Wallace in Newtowne, Johne Wallace in Meynefurd, George Tayt, Johne Hamiltoun and William Hamiltoun his sone, wyth vtheris. (Signed) Williã Wallace w^{t} my hand on ye pen." Only a trace of the seal remains.

65. Mutual contract and bond of kindness betwixt James, Earl of Arran, etc., and Gilbert, Earl of Cassillis, Lord Kennedy, for themselves, their kin, and friends, to the effect that, "for the honour, proffeit

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and welefare of our souerane lord the kingis grace now being of tendre age, commoun wele of his realme and to the plesour of my lord gouvernour now being out of the realme," the two Earls bind themselves to each other (in form similar to No. 63 *supra*,) to aid each other against all parties, the King and Governor (the Duke of Albany) excepted, according to the "auld band of kyndnes and lufrent maid betuix ther predicessouris," any variance between the parties to be settled by four nearest of kin of both Earls, and otherwise by the advice of David, Bishop of Argyll. This contract was executed in duplicate at Edinburgh, 24 November 1517. Witnesses: Sir Patrick Hamilton of Kincavil, knight, James Kennedy of Lunnochty, and others, whose names cannot be read, owing to the worn state of the document, which is signed "Gylbert Erll off Cass[illis ?] w^{t} my hand." Seal impressed.

66. Notarial instrument narrating a Decree Arbitral pronounced by Mr. Arthur Hamilton, Provost of Hamilton, Alexander Baillie of Carfyn, David Hoppringill in Galloschelis, and John Riddall of that Ilk, judges arbiters, chosen, along with others named by a deed of agreement and submission, dated at Glasgow, 10th July 1520, entered into between James Earl of Arran, Regent, a reverend father in God, David [Hamilton], Bishop of Argyll, the Earl's brother, Sir James Hamilton of Fynnerth, knight, the Earl's son, James Hamilton of Kincavil, the Earl's brother's son, and Robert Dalzell of that Ilk, for themselves and friends on one side, and Andro Ker of Cessford, Mark Ker of Littledean, John Hoppringill, Andro Ker of Gradane, Andro Ker of Greynheid, Thome Ker of Lintole [Lintalee], and Lancelot Ker of Gaitschaw, for themselves and friends, on the other side. In this agreement the parties bind themselves to underly and fulfill the decree and ordinance of Mr. Arthur Hamiltoun and Alexander Bailye of Carfyn, chosen by the Regent and his friends, and Sir Alexander Jardine of Applegarth, knight, and David Hoppringill, in Galloschelis, chosen by the Laird of Cessford and his friends as judges arbiters, with James Archbishop of Glasgow, Chancellor of Scotland, and Robert Lord Maxwell, Warden of the West Marches, as oversmen, to decide "in aventure of discord, in and apone all and syndry debatis, actionis, causis, querelis vnkyndnes and displesuris done and committit in ony tyme bigane betwix the saidis parties or ony ane of thame till vtheris and specialy apone the slauchter, persut and following of the said Erlis and Regentis frendis and seruitouris being witht the said Schir James his sone at the raid of Jedwod Forest, and the invading and persewing of the said Schir James thereftir till his slauchter as apperit, and in and apone all vtheris actionis, displesouris," etc., between the parties, who with the arbiters and oversmen were to meet at Glasgow on 16th August next, to decide and give decree, and in the meantime the parties bind themselves each to each "in tendernes kyndnes lufrent and cherite," and each to "repair to vtheris houssis placis rowmes and cuntries, giff it happynnis thame to cum thairto, eit, drynk, conuerse and commoun witht vtheris," assurance to that effect being given until the 24th September next. Meanwhile Andro Ker of Cessford and his friends shall "nother ryd, gange or assist to the Erle of Angus" in any way. Andro Ker also with Mark Ker and their friends choose Sir Alexander Jardine and others to arbitrate between them and Andro Ker of Fernyhirst, specially regarding the bailiary of Jedworth Forest, with other disputes betwixt them. The penalty of infringing this agreement and assurance is fixed at 6,000*l.*, one third to be paid to the King, one third to Glasgow Church, and the remainder to be given to the party observing the bond. The parties

met and the submission being read, and oaths administered, the arbiters and oversmen decerned that the Laird of Cessford and his friends, for their lifetimes, should take the Earl of Arran's "trew and afald part," in all his affairs, except against the King or Governor, and shall "ryd and gang" with him; also they shall take his part against the Earl of Angus and his party; they shall make no bonds with any Scotsman without Arran's consent; they shall also maintain and defend David, Bishop of Argyll, Commendator of Dryburgh, in peaceful enjoyment of the abbacy of Dryburgh, and teinds thereof, the Earl of Arran binding himself in like manner to take part with the Kers and their friends. Decree arbitral dated at Glasgow, 19th August 1520, and signed by the arbiters, etc., in presence of John, Earl of Lennox, David, Bishop of Galloway, Andro Lord Avandale, Mr. James Stewart, provost of Dumbarton Collegiate Church, James Lundy of Balgony, James Hopprin-gill, Dene Robert Coittis, prior of Blantyre, witnesses, with others not named. The parties then demanded instruments.

67. Bond by the Town of Edinburgh to the Earl of Arran. "Be it kend, etc., ws provest, ballies, counsall and communite of the burgh of Edinburgh, to be bundin and oblist and be thir present letteris and the faith and treuth in oure bodiis straitlie bindis and oblissis ws till ane noble and michti lord James Erle of Arrane lord Hammyltown, ane of the regentis of the realme and lieutenent in the Merse and Louthiane: Forsamekle as it is decretit and ordanit be the lordis, Regentis and of Counsall, for vnite and concord to be had betwix the said lord and ws and for pacifying of truble in tyme cummyn and the kingis autorite interponit thereto and ane act maid thareapone with letteris to put the samyn till execucioun That we suld gif oure band and oblising to the said lord apone certane poynttis eftir fallowing and in semblable wyse the said lord of Arrane till gif his band till ws apone certane vther poynttis That heirfor we bind and obliss ws to be lele and trew to the said Erle of Arrane and take his afald part aganis all vtheris that wald attempt aganis the kingis autorite in the execucioun of his office of Regentry and lieutenentry and furthputting of the kingis authoritie within the said towne of Edinburgh, at oure possible power and salbe lele and trew to him in the premissis induring the time of his office. And specialie sall nocht thoile nor permyt the Erle of Anguse, Johne Somervill lard of Colbintown, Archibald Douglas, Maistir William Douglas brothir to the said Erle of Anguse, now be and in Coldinghame, Hew Douglas nor nane takand thare part resort nor entir within the said towne of Edinburgh the said Erle of Arrane beand tharein, quhill the mater be adressit betuix the Erle of Anguse and him and vnite and concord maid amangis thame And gif my said lorde of Anguse his kin and freyndis wald do in the contrare we sall oppone ws thareto, takand my said lord of Aranis afald part to resist thame at oure powere, and in lykwise we sall tak my said lord of Arranis part aganis all rebellis and tratouris within the realme in the execucioun of his office and justice within the said towne of Edinburgh. And gif ony generall osting beis diuisit to pass apoune the saidis rebellis and tratouris the towne of Edinburgh till do siclyk as vtheris oure souerane lordis liegis of burrowis dois. For the obseruyng keping and fulfilling of the premissis and euery poynt and artikle tharof we bind and obliss ws faithfullie as said is in the sekerest forme and stile of obligatioun but fraude or gyle. In witnes of the quhilk thing to thir oure present letteris obligatouris we haif gart append oure commoun seill at Edinburgh the nyntene day of the moneth of Januare the zier of God ane thousand five hundreth and tuenty zeris." Seal attached, somewhat broken. A

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tower on the obverse, and on the reverse a figure of St. Giles with his hind.

68. Bond of manrent by "Robert Steuard of Mynto and prouest of the citte of Glasgu" binding himself to "becumin man and seruitur" to James, Earl of Arran. The bond is conceived in the usual terms and is to endure so long as the granter remains Provost of Glasgow. Dated at Glasgow, 18th October 1527. Signed "Robert Stewart of mynto v^{t} my hand." Seal impressed, much broken.

69. Bond of manrent in similar terms by Allan Steuard of Craghall. Dated at Glasgow, 1 January 1527–8. Signed "Allan Steuart of ye Craghal v^{t} my hande." Seal gone.

70. Bond to the Earl of Arran by "Walter Scot of Branxholme, knyght," in terms similar to No. 64 *supra*. Dated at Edinburgh, 4th July 1528. Signed "Walt. Scot of branxholm̄, kniy^{t}." Not sealed.

§ 2. *Papers relating to James, second Earl of Arran, Governor of Scotland and Duke of Chatelherault.* 1527–1569.

71. Letters under the Privy Seal of King James the Fifth, granting in usual form to James Hamilton of Fynnart, knight, the ward of one half of the lands and others belonging to the late John Earl of Lennox, and now in the King's hands by reason of ward, the whole ward having been granted to Archibald Earl of Angus and James, (first) Earl of Arran, and Angus having resigned his half in favour of Sir James Hamilton. Given at Edinburgh, 27 April 1527. Privy seal attached.

72. Agreement between Andrew Lord Avandale on one side and James Hamilton of Fynnart, knight, on the other side, by which the latter binds himself to induce his father, James (first), Earl of Arran, to give up to Avandale his half of the ward of the Earldom of Lennox, in return for certain conditions. Written in duplicate, dated at Edinburgh, 1st June 1527. Signed "Andro llord Auãdal."

73. Agreement between Matthew, Earl of Lennox, son of the slain Earl, and the Hamiltons, begins thus, "We Mathew Erle of Leuenax conforme to the contract and appoyntment and aggreance maid betuix ws for oure self, kin [etc.] on that one parte, and James Hammiltoun of Fynnart knicht, for himself and as tutoure to James [second] Erle of Arrane, lord Hamiltoune, his bruthir, thare kin [etc.] on that vther parte, for the slauchter of vmquhile Johnne erll of Leuenax oure fader, witht avise consent and assent of Alane Stewart of Craghall oure curatoure, for oure self, oure airis, kin [etc.] be the tenoure heirof remittis, forgevis and frelie dischargeis the said James erle of Arrane, James Hammiltoun of Fynnart, knicht, Hew Erle of Eglintoune, &c. Malcolm Lord Fleming, Hew Lord Someruile, Hew Campbell of Lowdoun, the surname of the Wallaces, Androu Ker of Farnyhirst, Mark Ker of Dolphintoune, James Douglas of Drumlangrig, thair airis, surenames, kin, [etc.] and all vtheris being in company with vmquhile James Erle of Arrane that last decessit, and on that side, the tyme of the slauchter of the said vmquhile Johnne Erle of Leuenax, oure fader, of all actionis criminale and civile, displesoure vnkindnes" etc., conceived against the Earl of Arran and James Hamilton. The latter is also specially discharged of all cause of forfeiture of the lands of Drumry incurred by his appearing in arms against the late Earl of Lennox, superior of the lands, "in plane feild at Canathy brig, for his slauchter." Further, because James Hamilton having right to Earl Matthew's marriage had given the same to the

Earl free, and had resigned the keeping of the castle of Dumbarton, of which he had a nineteen years lease, making also other concessions, and because he was bound to pass on "the thre heid pilgrimages of Scotland, and to find and sustene vpoun his expensis sex preistis to pray yeirlie for the saull" of the deceased Earl for seven years, therefore Hamilton shall peaceably enjoy the lands of Heuchheid, Linbank, Drumlog, and Brintsnab, in the barony of Avandale, Lanarkshire, with other conditions, Dame Elizabeth Hamilton, Countess of Lennox, the Earl's grandmother, being referred to as conjunctfiar of the lands. For corroboration the great seal of Scotland is affixed to the document, which is dated at Edinburgh, 29th April 1531, Robert [Reid], Abbot of Kinloss, and others, witnesses. The signatures of King James Fifth and the Earl of Lennox are upon the writ, and the great seal, the Earl's seal, and that of his curator are still appended. [Besides this a separate confirmation was made by the King on 1st May 1531, to which the quarter seal is appended.]

74. Bond of Manrent in the usual form by Ninian Stewart, sheriff of Bute, James Stewart, his son and apparent heir, Robert Stewart, Archibald Stewart, Alexander Stewart, Ninian Stewart, John Stewart, James Stewart, and William Stewart, all sons of the sheriff, binding themselves to become men and servants of James, Earl of Arran. Dated at Glenkill, 23 July 1535. Witnesses, George Lord Seton, John [Hamilton], Abbot of Paisley, John Hamilton, master of Fail, Mr. Arthur Hamilton, provost of [the collegiate church of] Hamilton, and Mr. David Hamilton, pastor of Thankerton. The sheriff's seal is affixed for himself and his sons, and the signatures are written by Archibald Stewart with his own hand, the others only placing their hands on the pen.

75. Bond of similar character by Hew [Montgomery], master of Eglinton, to John Abbot of Paisley. At Edinburgh, 12th July 1543. Witnesses, Charles Mowat of Busbe, and others. Signed "Hew Mast. of Eglintoun." Seal affixed.

76. Act of State, declaring James Earl of Arran, etc. second person of the realm and nearest heir to the Crown, failing the young Queen, to be tutor to the Queen and Governor of the realm. In this Act the three estates renew their fealty and ratify the same by affixing their seals, most of which are still appended in good preservation. Dated 15th March 1542–3. [This Act is printed and a lithograph of the original with its seals shown in the "Acts of the Parliaments of Scotland," 1814, vol. ii., pp. 593, 594].

77. Bonds of manrent and fealty made to the second Earl of Arran as governor of the kingdom. Of these there are a considerable number, most of them, however, being conceived in the same form of words. A few which are important or vary in detail are given at greater length:—

1. Bond of manrent in common form by Hew Campbell of Lowdoun, Sheriff of Ayr, to James, Earl of Arran, Lord Hamilton, "protectour to oure Souerane lady and governour of hir realme." Dated at Edinburgh, 2 June 1543. Witnesses, John [Hamilton], abbot of Paisley; Mr. David Panther, prior of St. Mary Isle and secretary to the Queen, Mr. John Hamilton, vicar of Cragy, with others. Signed, "Hew Cāpbell of lowdown w^{t} my hand." Seal appended.

2. Bond of manrent by Neill Montgomery of Langschaw, knight, to James, Earl of Arran, etc., at Linlithgow, 2 August 1544. Witnesses, John, Abbot of Paisley, Mr. William Montgomery of Stane, Mr. John

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Dennystoun, Archdean of Dunblane, and others. Signed, Sr̄ Neyle Montgūy, of Langschaw, kyñt." Not sealed.

3. Bond by James Striueling of the Keir, John Logan of Balvey, Alexander Douglas of the Mains, and John Striueling of Craigbarnard, who all, of their own free will, &c. appeared before the Lord Governor and the lords of council, and obliged themselves to be leal, true, and obedient to the Queen and the Governor under pain of forfeiture, they receiving a full remission of all crimes chargeable against them previous hereto, which, remission, however was to fall if they failed in implementing their bond. Dated at Glasgow, 6 April 1544.

4. Bond by the Queen Dowager, begins, "Be it kend [etc.] ws Marie be the graice of God quein dowarire of Scotland, to be bondin and oblist and be the fayth in our body and be thir presentes bindis and oblises ws to oure richt weil beluuit cousin James erle of Arran gouernour of oure derrest dochteris realme of Scotland, that we sall lelele and treuly keip ane leile trew and affald part onto him in all his actionis," etc., in the usual form. Dated at Stirling, 6th March 1544–5. Signed "Marie R." Seal gone. No witnesses.

5. Bond by John of Wemyss of that Ilk to give true service to the Governor, and maintain his authority during the minority of the Queen. Edinburgh, 1544. Signed "Jhoñ Wemys of yt Ilk wyt my avin hand."

6. Bond of manrent for life, by James Kennedy of Blairquhan, in return for letters of maintenance by the Earl of Arran. Dated 1545. Signed "James Kēedy of blarquhē wt my hand." Seal affixed.

7. Bond, also in return for letters of maintenance, by Thomas Makclellane of Bomby. Dated 1545. Signed "Thomas Mᶜclellane of Bomby wt my hand."

8. Bond, beginning: "We . . . vnderstanding that the weir, be plane distructioun of abbacys, kirkis, castellis and vtheris houssis of this realme, birnyngis, herschippis, slauchteris and all vther displesouris that our auld Innemy the king of Ingland has led and ledis vpoun this realme and liegis tharof, is movit vpoun the ardent desire that the said king hes consauit to haue oure souerane lady the quenis grace in mariage to his sone Edward prince of Ingland, aganis all law of God and halikirk, and thar throu to mak this realme and liegis tharof thrallis to him and his successouris kingis of Ingland, howbeit the samyn hes bene ane fre realme and pepill sen the begynnyng, broukand the auld name of Scotland the liberteis and thai avne lawis quhilkis thai can nocht failze to tyne gif thai cum vnder the subiection of the said King of Ingland and his successouris. And also as our souerane lady growis forwart in yeris and approchis to the aige that scho may compleit mariage it sall nocht failze bot the princis of vtheris cuntries sall desire to haif hir grace in mariage and to persew the samin with force and power bot gif it be wislie prouidit in tyme, and becaus sen the first king that euir broukit this realme thare wes neuir strangear that rang or had domination thairof bot the kingis of ane blude that hes heddertillis roung be just richt of successioun. Thairfor we willing to haif this realme standing at the auld blude, liberte and lawis of the samin, and to be rewlit be ane prince borne of the realme self declaris for our part that our said souerane lady sall nocht be mareit bot vpoun ane prince borne of the realme self," etc. The document then states that as James Earl of Arran is second person in the realm, and heir to the throne failing the queen, the granters think it expedient that the queen at proper age should marry Arran's eldest son, and they bind themselves to consent and vote for this arrangement. 1545. Signed only by "Hew M. of Eglinton," but evidently meant to be signed by a number of consenters.

9. Bond of manrent, etc., to James, Earl of Arran, as Governor, made by George (Hay), Earl of Errol, in consideration that his son Andrew Hay has received a new infeftment of the Errol estates. The bond is for life. Dated at Linlithgow, 10th April 1546. Signed "George erll of erroll."

10. Bond in usual form, for life, by William, Earl of Glencairn, to the Earl of Arran, etc. At Edinburgh, 19th August 1546. Witnesses, Hew Cunningham, the earl's son, and others. Signed "Wylže erll of glēcarñ."

11. Bond by Archibald, (sixth) Earl of Angus, George Douglas of Pettindreich, knight, and James Douglas of Drumlanrig, to James Earl of Arran, etc., who had done them "grete plesouris and gratitudis" in return for which they promise service in usual form, during the Queen's minority only. At Edinburgh 22 August 1546. Signed, "Ar^{d} erl of Angus, "George Dowglas," "James Douglas of Drūlāgrik." Seals attached, not in very good preservation.

12. Bond in the same terms as the preceding, by Patrick (Hepburn), Earl of Bothwell. Edinburgh, 24 January 1545–6. Signed "Patrik Erle Bothuile." Seal impressed.

13. Bond by Robert, Lord Boyd of Kilmarnock, who, because the Earl of Arran and his heirs are bound to be "leill trew and afauld maisteris and gude lordis" to the granter and his heirs, binds himself and his heirs perpetually, in usual form. Edinburgh, 13 March 1548–9. Witnesses, John, Bishop of Dunkeld, George and William, Commendators of Dunfermline and Culross, and others. Seal attached. Lord Boyd's name is written by a notary.

14. Bond beginning "Be it kend, &c., me James Orbistoun [Ormistoun] of that Ilk, forsamekle as I am chargit be my lord gouernour witht awise of the lordis of secrete cunsall to cum presentlie and serue his grace and lef my assurance that I haue of Ingland, quhilk is nocht possible to me to do at this tyme withoot vter distructioun be ressown that I duell sa nere the fort of Roxbrught quhair our auld Innemiis of Ingland now remains, wnto the tyme I haue my cornis and guddis drawin furth of the boundis quhair thai ar at this present." He then binds himself and his friends at the 1st day of April next, to give up and leave the "assurance" he has from England, "and neuir to haue intelligens nor melling with thame." He also binds himself to quit the bounds which he has near Roxburgh, and if he does aught to the contrary he consents to incur the penalty of "lese-maiestie." At Jedburgh, 23 February 1548–9. Signed "James Ormstone of y^{t} ilk w^{t} my awyn hand at ye pen," etc.

15. Bond of manrent by James Hamiltoun of Crawford-John, knight, son and heir of the late James Hamilton of Fynnart, knight, for discharging himself of large sums of money belonging to the Earl of Arran, Governor of the realm, as heir to his father the late Earl of Arran, dealt with by the granter's father, and for exonering the granter of a sum of 7,400*l.*, and also for discharging sums due to the Earl of Arran as executor to his brother the late Gavin Hamilton (whose executry amounted to 20,000*l.*), also for discharging the granter of the fees due to the late Earl of Arran of the deanery and chantry of Glasgow, Archbishopric of St. Andrews, and Abbeys of Holyrood house and Paisley, dealt with by the granter's father after the Earl's decease, and for benefits done by the Earl to the granter in recovering for him his father's heritage. Sir James with the advice of his curators, John [Hamilton], Archbishop of St. Andrews, and William Hamilton of Sanquhar, knight, grants bond to the Earl in due form of service and

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fealty. Edinburgh 18 November 1549. Signed by Hamilton and his two curators, their seals being still appended, in good condition.

16, 17. Two bonds of manrent of same date, by Gillespic M^cCairlie, and Angus M^crannald, respectively, to James Duke of Chatelherault, Earl of Arran, &c., Governor of the realm, binding themselves to true service, as well in the island of Arran as outside the same, and to give assistance to the captain or captains of Brodick that good rule be kept among the tenants of the earldom and living of Arran, &c. Dated at Brodick, 22 April 1551. Both bonds signed by a notary on behalf of the parties.

18. Bond by John Mackenn and Dunken Mackenne in Sladdre, in usual form. No date.

19, 20. Bond of manrent in common form by Robert (sixth) Lord Maxwell, dated at Dumfries 18th November 1551. Signed "R. Maxwell w^t my hand." Seal appended, in good condition. Inside this document is folded a similar bond by Robert (fifth) Lord Maxwell dated at Linlithgow, 11 January 1545–6. Signed "Robert Maxwell wy^t my hand."

21. Bond in usual form by Robert Bruce of Airth and Alexander Bruce his son and apparent heir, to the Duke of Chatelherault, in return for a bond of maintenance by him. Dated at — —, 1552. Signed by Bruce and his son. Seals attached.

22. Bond of manrent by James Dundas of that Ilk, and George Dundas his son. Signed and sealed at Edinburgh — 1552. Seals attached, illegible.

23. Bond of manrent by James Sandilands of Calder, knight, and John Sandilands his son and apparent heir, to James Duke of Chatelherault, &c. in return for a bond of maintenance. At Linlithgow, 17th October 1552. Signed by father and son. Seals impressed.

24–27. Bonds by Donald Maccoup of Benny Gargan, John Makilgir in Kinloch, John Macbriden and Finlay Macbriden, brothers, and Alaster M^cDavid of Mannemore. Dated at Brodick in Arran on 20th August, 18th and 23 September 1554.

28. Bond by James Douglas Earl of Morton, &c. (afterwards Regent) binding himself in manrent service to James Duke of Chatelherault, &c. and his son James Earl of Arran, because they had renounced in favour of the granter all right, title, interest, and claim which they had or could have to the earldom of Morton and lordship of Dalkeith. Morton therefore promises to aid the Duke and his son "nocht onlie in this commone caus to sett fordwart the gloir of God and putting of this cure natiue cuntre to libertie fra bondage of strangearis, bot als in all vtheris thair actionis, caussis, etc. sa fer as we may be the lawis of this realme and with ane frie and sauf conscience" under a penalty of 10,000*l.* in case of failure, the failure to be tried by Archibald Earl of Argyll, Alexander Earl of Glencairn, Lord James Stewart and William Maitland younger of Lethington. Dated at Edinburgh 31 May 1560. Witnesses, William Maitland younger, Secretary of this realm, Maister Henry Balnavis of Halhill, Maister Archibald Douglas and others. Signed "J. Erll off Mortoun." Seal appended.

29. Bond by Angus M^crannald moir M^callaster; because the Duke of Chatelherault had leased and entered him to the "fourtie schilling aucht penny worth of land of Kilpatrick and Drumgrener liand within his gracis landis of Seskene, Ile and erledome of Arrane" the granter promises to be an obedient tenant and to maintain the bailie and captain of the Isle; and if the Duke shall "flitt and remove ony of his tennentis furtht of his landis within the said Ile in ony tymes cuming and the saidis tennentis beand dissobedient and will nocht remove thairfra

without thai be compellit (and thai being the quenis gracis rebellis)," in that case the granter binds himself to assist the Duke's bailie and captain to "put the saidis rebellis and dissobeyaris furtht of the said Ile and hald thame furtht of the samin," and to maintain lawful tenants, &c. Dated at the Castle of Brodick, 25 November 1563. Witnesses, Archibald Hamilton, Captain of Arran, and others.

78. Bond by Walter Ker of Cesfurd, John Ker of Fairnyhirst, and Andrew Ker of Hirsell, knights, binding themselves, their successors, and families perpetually to be "leill and trew men," etc., to John [Hamilton], Archbishop of St. Andrews, treasurer of Scotland and Abbot of Paisley, and to James Earl of Arran, etc., son of the Governor, the Duke of Chatelherault, etc. At Jedburgh, 9th August 1553. Witnesses: Sir David Hamilton of Fingaltoun, knight, warden of the Middle Marches of Scotland, Sir John Home of Coldenknowes, knight, Gilbert Ker of Primsideloch, Robert Ker, brother german of Sir John Ker of Fairnyhirst, John Menzies of Culterhawis, younger, and others. Signed "Walter Ker of Cesfurd, knyt," "John Ker of ffarnharst, knyt," "Andro Ker of Hyrsel, knyt." Seals lost.

79. Act of the Privy Council of Scotland, because of the "diuerse enorme and exhorbitant crymes committit and done be the lardis of Ormestoun and Brunstoun, and siclik be the keparis of the house of Saltoun, and for thair fals and treasonabill dedis and how that thair houssis of Saltoun, Ormestoun, and Gilbertoun hes bene put in our auld ynemies handis to the subuersion of the cuntre to thair opinioun, and last of all, our saidis auld ynemeis hes bene presentlie in the saidis houssis quhairthrow thai haif declarit thame oppin and manifest tratouris and resettouris of our saidis auld ynemeis. And for the persut thairof my lord gouernour hes presentlie assegit the saidis houssis and recouerit the samyn be way of deid; and becaus the saidis houssis may engener cummeris in the cuntre and that na personis will tak vpoun hand to keip the samyn surlie fra our saidis auld ynemies," etc., the Council direct that the houses of Ormestoun and Gilbertoun with the head of the house of Salton be cast down and made uninhabitable. Haddington, 29th February 1547–8.

80. Letters by King Henry the Second of France, on the preamble that the Earl of Arran, Governor of Scotland, on account of the attempts made during the past year by the King of England, and his new endeavours to possess himself of the young Queen of Scotland, had resolved to send the Princess to France for safety. The King consents and agrees that during the minority of the Princess the Earl of Arran shall have the full and entire disposal of all things in the realm of Scotland, and because of the Earl's diligence, and the loss sustained by him in the Queen's service, the King assures him of a full discharge on her reaching majority, and that he shall not be held accountable for his management of affairs. If the young Queen, during her minority, attempts anything against the Governor's authority, she will be restrained, etc. Given at the Abbey of Vauluysant 28 April 1548. Signed by the King of France. The great seal is now wanting. [This and the two following Nos. are printed in the Acts of the Parliament of Scotland 1814. Vol. ii., 508–510.]

81. Letters by King Henry the Second of France narrating the service done by the Earl of Arran to the King's late father [Francis I.] and also his agreement to the marriage of the young Queen of Scotland with the Dauphin, and promising that should the Queen of Scotland die

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without issue of her body, and should any enemies attempt to hinder the Earl or his heirs in the direct line from attaining a peaceable enjoyment of the Crown of Scotland as nearest thereto after the death of the Queen, the King of France would hold out his hand to the Earl and his heirs against their enemies whomsoever, and assist and support them in every way, according as required by the ancient alliances and confederations which have been from all time, and still exist between the kingdoms of France and Scotland. The concluding clause repeats the promise of the preceding writ as to acquitting the Earl's administration. Given under the great seal of France, and signed by the King at Paris, 17th June 1549. Great seal still appended. [There is also a paper copy of similar letters by King Henry the Second, confirming the writs of 17th June 1549, and dated at Paris 19th April 1558.]

82. Letters by Francis, eldest son of the King [of France], and Dauphin of Vienne, confirming the preceding writ of 19th June 1549, and promising on his own behalf to observe the terms of it, and also promising that if the Queen of Scots died without heirs of her body, he would leave the Earl to enjoy the kingdom of Scotland, and would assist him to that end, in terms of the said letters. At Paris, 19th April 1558. Signed "Francoys." Seal still appended but in a broken condition.

83. Document endorsed, "The particular articulis appoyntit betuix the quenis grace and my lord gouernour allanerly" [only], being an agreement between Mary of Lorraine, Queen Dowager of Scotland, and James Duke of Chatelherault, made at Stirling 19th February 1553–4. (1.) The first article begins, "In the first the quenis grace dowerar sall obtene to the said noble prince his aris and assignais" a lease from the Queen of the custody of the castle of Dumbarton with all lands and fees thereof, for 19 years, providing the same be patent and obedient to the government. (2.) The queen dowager shall give to the Duke a full discharge and exoneration in the amplest form of all action against him as tutor, for any goods moveable, sums of money and jewels belonging to the queen dowager by the death of her late husband [King James V.], without prejudice to any claim she had against the Queen as heir to her father or his heirs and successors to the Crown, conform to her [the queen dowager's], contract of marriage. (3.) The queen-dowager shall cause the queen, with consent of her curators, in the Parliament to be held after the twelfth year of her age, and also after her majority of 25 years to ratify the reduction at the instance of Sir James Hamilton of Crawford-john, knight, of the forfeiture passed against his father, the late Sir James Hamilton of Finnart, knight. (4.) In the same way the queen dowager shall cause ratification to be made of certain infeftments, those given to David Hamilton natural son of the Regent, of the lands of Grange, Tyrie, and others, and also the infeftments given to Robert Hamilton of the lands of Halhill, and to Robert Carnegy of Kinnaird of the lands of Murdocarny. (5.) The queen dowager shall cause the queen to renounce and overgive to James Lord Flemyng, his heirs, etc., the reversion made by the late Malcolm Lord Flemyng his father to the late James Earl of Morton as to the redemption of the lands of Kilbucho, with all right which her Majesty had in the same. (6.) The queen dowager shall cause the queen on her coming to the kingdom to grant that all sums of money, taxes, contributions, etc., due to the Crown since the death of King James the Fifth, and which had not been uplifted by the Regent, should be freely ceded to the latter to be collected and

applied to his own use. (7.) Lastly the queen dowager shall obtain for the Duke a commission as Lieutenant-General of the kingdom of Scotland, and although "Henry Clentene Seigneur D'Oysel," now lieutenant general in Scotland for the King of France, had offered the Duke 7,000 francs yearly for the profits of the office, the Duke desired that the office might be conferred on him at the pleasure of the King of France, with power to commit the same to his eldest son. The articles are signed by the queen dowager, but not sealed. "Marie R."

84. Inventory of jewels, precious stones, etc., received by the young Queen of Scotland from the Duke of Chatelherault, as detailed in a list to which a receipt is appended, signed by herself. The inventory is as follows: "Inuentaire des Bagues: Bagues a mettre aux doits. Vne grande table de dyamant, Vng gros diemant a jour en fer de lance, Vng diemant taille en sercueil, Vng diemant a jour taille en triangle poincte, Vng autre dyemant a jour taillant en triangle sans fueille, Vng plus petit dyemant taille en fer de lance, Vne petite table de diemant, Vng diemant taille a face, Vne autre table de diemant moyene, Vne autre table de diemant moyene, Vng diemant taille en triangle a fueille, Vne poincte de dyemant sans fueille, Vne autre bien petite poincte.

Et de diemantz xiii.

Vng petit rubis a jour, Vne poincte de Rubis, Vne table de Rubis, Vng cappochon de Rubis a jour, Vne table de rubis moyene, Vng cappochon de rubis, Vng petit rubis plat, trois autres petitz rubis. Vng autre moien rubis.

Et de Rubis xi.

Quatre emeraudes. Trois petitz saffirs.

Nombre total xxxi bague a mettre aux doitz.

Autres Bagues.

Vng Ecarquant ou il ya six rubis, vne table de diemant et viii coupletz de perles.

Dix croix de diemant en bouttons. Vng reste en daureure on y a vii petiz diemantz et six perles. Plus viii coupletz a doubles perles.

Neuf tables de diemant faictes a bouttons xv boutons rondez a trois perles chacon.

Vnze petites rozes de rubis assauoir cinq emaillee de blanc et six de noir.

xvii bouttons rauqullaris a trois perles chacun ii douzaines de gullettes de perles trois ensemble a chacune ii perles.

xv pieces des gullettes a ii perles chacune esmaillees de noir. xvi autres pieces des gullettes emellees de rouge.

Vng chiffre emaille de noir ou il y a cinq tables de dyemant.

Vne enseigne en laquelle a vne siraine et vne queue et vng mirouer de diemant et vng pique de rubis.

Vne enseigne ou il y a vng Cupido et vng gros cueur de rubis et vng petit rubis en sa main.

Vne autre enseigne ou il y a vng mirouer de diemant. Vne autre enseigne ou il y a vng rubis et vng oeil de chat. Vne autre enseigne dagatte tailler aubord delaquelle a quatre rubis.

Vng pognard dor a manche d agatte garny de six ameraudes, de trois gros rubis, de trois rubis moiens et de quarante deux petitz rubis, de viii petitz diemantz, dung gros saphiz au bout, dune houppe d or & d argent traict ratachee de petitz rubis et quelque bout de perles, la dite houppe garnie d une pome d argent a vng Tazeron d or.

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Douze pieces de tappisserie de drap d or et drap d argent frize. Deux detz de mesmes.

Nous Marie par la grace de Dieu royne descosse certiffions auoir receu par les mains du Sieur Jaques Hamiltone gentilhomme de la maison de notre cousin le Duc de Chastellerault tous les diamentz rubiz et autres pierreries et tapisseryes de drap d or et drap d argent frize auec deux daiz de mesme (come le tout est plus a plain cy dessus declaire) Dont nous en deschargeons des maintenant le dit Sieur Hamiltone par la presente signee de nostre main que nous auons faict signer par lun de noz secretaires le iii jour de Juing 1556. Marie."

85. Three Acts of Parliament [printed in the Acts of the Parliament of Scotland, 1814, Vol. ii., pp. 600–604.] the first being a ratification of an ample discharge granted by Mary Queen of Scots to the Duke of Chatelherault as Governor of Scotland on 22 March 1553; the second Act is a formal approbation of the Duke's government, while the third Act is a corroboration of the previous two, the three being dated 12 April 1554. In these Acts an inventory of jewels is referred to as delivered to the Queen Dowager, which is probably similar to the inventory of June 1556 already given.

86. Ratification by Mary Queen of Scots of these Acts in favour of the Duke of Chatelherault. Dated at Paris, 15 April 1558. Made by the Queen with consent of her uncle and curator, Francis Duke of Guise. Signed "Marie," "Francoys de Lorraine." Great seal of Scotland, and the Duke of Guise's seal appended, the latter somewhat broken. [This ratification printed in Acts, &c. *ut supra*, p. 518].

87. Similar ratification by Francis and Mary, King and Queen of Scots, dauphin and dauphiness of France. Paris, 30th April 1558. Signed "Francoys" "Marie." The great seal of the dauphin and dauphiness appended somewhat broken. [This ratification is also printed in Acts, *ut supra*, pp. 517,518.]

88. Original of the [second] Covenant subscribed by the Lords of the Congregation and other adherents of the Reformation in Scotland. Begins "At Edinburgh the xxviith of April the zeir of God ane thousand fywe hundreyth threscoyr yeiris, We quhais names ar vndervryttin haif promittit and oblist our selfis faythfulli in the presence of our God and be their presentis promittis that we alltogyther in general and every ane of ws in especial be him self with our bodeis, guiddis, freindis, and all that we may do sall set fordward the reformation of religion according to Goddis word and procuir be all meanes possible that the treu preyching of Goddis word may haif fre passage within this realme with dew administration of the sacramentis and all thingis depending vpon the said word: And siclyk deiply weying with our selfis the misbehaviour of the franche ministeris heir, the intolerable oppressionis committit be the franche men of weyr vpoun the puir subjectis of this realme be meyntenance of the quene douriare vnder coulour and pretence of authorite, the tyranny of thair captaynis and leiddaris and manifest dangeir of conqueist in quhilk this countrie presentlye standis be raisoun of dyverse fortificationis on the sea cost and vther nouuelteis of laitt attemptit be thayme Promittis that we sall als well every ane with vther as altogyther with the quene of Englandis armye presentlie cam in for our delyverance effectuallie concur and join togyther, taking ane fald and playn part for expulsion of the said strayngearis oppressouris of our liberty furth of this realme and recouvery of our ancient fredomes and liberteis to the end that in all tym cummyng we may vnder the

obedience of the king and quene our souueraynis be only reulyt be the lawes and custumes of the cuntrie and born men of the land. And that nevir any of us [s]all haif prywat intelligence be wryting or message or communication with ony of our saidis enemeis or adversaries in this cause, bot be the advise of the rest, at leist of fywe of our number. Attour that we sall tender this present cause as it wer the cause of every ane of ws in particuleir and that the causes of every ane of ws now joynit togyther being leiffull and honest salbe all our causes in general And he that is enemy to the causes forsaid salbe enemy to ws all in sa far that quhatsumevir persoune will plainly resist thir our godly interprysis and will nocht concur as ane guid member of this commonweill we sall fortifie the authorite of the counsale to reduce thayme to thair deutye. Lyk as we sall fortifie the said authorite of the counsale in all thingis tending to the furtherance of the saidis causis And gif ony particuleir debaytt quarrell or controversie sall aryise for quhatsumevir cause bygayn present or to cum betwix ony of ws (as God forbyd) in that case we sall submit our selfis and our saidis questionis to the decision of the counsall, or to arbitratouris to be namyt be thayme Providing alwais that this be nocht preiudicial to the ordinar jurisdiction of judges bot that men may persew thair actionis be ordour of law ciuillie or criminallie befoir the judges ordinairis gif thai please." [To this document are attached about one hundred and fifty signatures of noblemen and gentlemen, chiefly those present at the parliament of 1560. These signatures include those of the Duke of Chatelherault, his son the Earl of Arran, the Earls of Huntly, Argyll, Glencairn, Rothes, Morton. James Stewart (afterwards the Regent Murray), the Abbots of Kinloss, Cupar, and Kilwinning. The bond has been printed more than once, as in Bishop Keith's History, Bishop Burnet's History, and others, but without the signatures.]

89. Original of the Commission by the Parliament of Scotland for sending an embassy to propose marriage between Elizabeth, Queen of England and James Earl of Arran, eldest son of the Duke of Chatelherault. Numerous signatures, — August 1560. [This document which is printed in the Acts of the Parliament of Scotland 1814, Vol. ii., pp. 605, 606, is in a very worn condition.]

90. Letters of Remission under the great seal by Henry [Darnley] and Mary, King and Queen of Scots, remitting to James Duke of Chatelherault, David Hamilton and Claud Hamilton, his sons, Gavin [Hamilton], Commendator of Kilwinning, and to 264 persons of the Duke's surname, household and dependants, the offence of holding the castles of Hamilton and Draffan, in the sheriffdom of Lanark, after an order had been issued for the surrender of these strongholds to the royal officers. Edinburgh, 2 January 1565–6. Great seal appended. [Among those named are 31 of the Duke's own household, 138 of his surname, 40 gentlemen dependant on him, and 55 tenants. The list includes James Hamilton of Bothwellhaugh, and his two brothers, John and David Hamilton.]

91. Letters by Henry and Mary giving permission to the Duke of Chatelherault, John [Hamilton], Commendator of Arbroath, David and Claude Hamilton, the Duke's three sons, with Gavin, Commendator of Kilwinning and James Hamilton of Rouchbank, to go to France or beyond sea about their own affairs, for a term of five years. Given under the Privy seal at Edinburgh, 3 January 1565–6.

92. Protest to have been entered by the Duke of Chatelherault in the first Parliament held by the Regent Murray, against all attempts which

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the Regent might make to divert the title and succession to the crown of Scotland from those it rightfully belonged to by lawful descent from the blood royal; with a report by the Duke's proxy appointed to enter that protest, setting forth the overbearing conduct of Murray, who knowing his errand, had denied him a place in Parliament, saying "I perceive your business, which is not to concur with us but to protest against our proceedings." The Regent is reported as adding "Gyff the Duke will not come heir and join himself with us, let him luk for nathing heir; and gyff he proposes (as we understand) our destructioun and to cutt our throwtes, ye sal be assurit that we sal find remied and cut his and all thame that wald do so, rather nor our own sould be cuttit." [This protest which is dated 15 December 1567, is not printed as it was not received, but a former protest also in the Hamilton Charter Chest, and dated 14 December 1557, is printed in the Acts of Parliament of Scotland, Vol. ii., p. 605. A third protest of a similar tenor is also in the Hamilton Charter Chest, dated 26 November 1558.]

93. An Account of the murder of the Regent Murray by Hamilton of Bothwellhaugh, 1569. [A comparatively modern copy, perhaps taken from some older document.]

Division II.

§ 3. *Papers relating to Lord John Hamilton, Commendator of Arbroath, first Marquis of Hamilton.* 1570–1604.

94. Bonds of manrent of various dates, by the following gentlemen:—

(1.) Bond by James [Ogilvy] Lord Ogilvy for himself and as acting for David and William Ogilvy his sons, narrating that Lord John [Hamilton], Commendator of Arbroath, had leased to Lord Ogilvy and failing him to James Ogilvy his son and apparent heir, the teind-sheaves &c. of the kirks and parishes of Kilmur and Newtyle within the sheriffdom of Forfar, for a yearly rent of 520 merks, and the Commendator had further disponed that sum in favour of David and William Ogilvy as a yearly pension, in return for services to be rendered in defence of the convent of Arbroath against the "weirfull and dangerous assaultes" of their enemies, and in "resisting of their unfrendes" and specially "for the persewing obtening and getting of the place of Arbroath furth of the handes of George Dowglas, quha be himself and otheris in his name wranguslie detenis and withholdes the samin fra the said Commendatar and convent of Arbroith to thair grate hurt and skaith," the place, when obtained, to be delivered up to Hamilton, and held by him, defended by the Ogilvys, etc., who bind themselves to perform the services required, with a provision that the Ogilvys shall relieve Hamilton of the third of the pension of 520 merks, when he is compelled to pay the third of the remainder of the abbacy. The lease was to become void if the Ogilvys failed to fulfil this agreement, which is dated at Bolsham 29th March 1570. Witnesses: George Earl of Huntly; Sir John Carnegy of Kinnaird, knight; John Ogilvy of Kynnordy; Archibald Ogilvy of Lunan; and Robert Hamilton of Torrens. Signed by Lord Ogilvy and James Master of Ogilvy. Seal appended. [Inside this writ is an obligation by which Lord Ogilvy, in consideration of a dis-

charge by the Commendator of Arbroath (dated at Hamilton 10 November 1566) of the whole yearly rents to be paid from the churches of Killemure and Newtyle in all years preceding 1570, binds himself to pay all rents preceding 1568, as soon as he and Sir John Carnegy of Kinnaird can account for the same. At Bolshan 25 September 1571; witnesses John Carnegie of Fotheis and John Ogilvy apparent of Innerkelour, etc.]

(2.) Bond of manrent, in usual form, in favour of John Lord Hamilton, by William Bannatyne, younger, of Corhouse, in recognition of the fact that his father John Bannatyne of Corhouse and their predecessors had been "servandis and dependaris on the house of Hammilton their mony yeiris and ageis last by past." Dated at Brodick in Arran 22 August 1587.

(3.) Bond of manrent, same place and date, by John Dow Stewart of Kildonald, who promises to serve his "master" John Lord Hamilton, tutor of Arran "and the principall of the house of Hamilton," for the keeping of which promise he has found Uchtred Makdowgall of Garthland and Thomas Kennedie, tutor of Cassillis, his cautioners.

(4.) Bond of service to John Lord Hamilton by Robert Nisbit, baron of Dalzell younger, in return for a grant of a piece of land betwixt the sandbed of Allantown and the nether Inch of Dalzell belonging to the granter in the sheriffdom of Lanark, the land to be returned if the bond be not kept. At Hamilton, 18 March 1590–91.

(5.) Extract Bond by Angus M^{c}conneill of Donnavik (Dunyveg), son and heir to the late James M^{c}conneill of Donnavik, acknowledging that the late James Duke of Chatelherault had infeft the late James M^{c}coneill and his heirs male, etc., in the lands of Sadell (Saddell) and keeping the place of the same for certain fees and on condition that James M^{c}coneill should not only himself refrain from invasions and slaughters in the Isle of Arran, but also defend and maintain the same from invasion by others, in terms of which infeftment, etc. the granter now binds himself to observe the same conditions in favour of John Lord Hamilton and his heirs male of the house of Hamilton. The bond contains a clause of registration, and is dated at Hamilton, 20 April 1591. [It was recorded in the books of Council and Session on 21 January 1593, at the instance of Angus M^{c}coneill.]

(6.) Bond of manrent in usual form to John Lord Hamilton and Arbroath by David Creichtown, fiar of Logtoun, in return for a feufarm grant of the lands of Lethame, barony of Kerse, and shire of Stirling. Dated at Edinburgh, 10 August 1591.

(7.) Bond by John Dow M^{c}allester M^{c}rannald Moir for himself and taking burden for his sons and his "foster" Archibald M^{c}connald son to Angus M^{c}conald of Donavaig, binding himself and them as servants to John Lord Hamilton, and to aid the Captain of Arran when required. The granter signs by the hand of a notary, at Hamilton, 25 September 1591.

(8.) Bond to John Lord Hamilton and Arbroath, in usual form, by Mr. William Meldrum of Muncoffer. Dated at Hamilton, 28 June 1593.

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(9.) Bond by James [Hamilton, Lord afterwards first Earl of] Abercorn. "At the desyre and command of my Lord Marquise of Hamilton quha hes not only bene ane louing chefe and vncle vnto me, bot as ane maist louing father, for satisfactione and to giue confort and contentement to his lordship at this present finding his lordship subiect to infirmitie ~~and not for plesour of na vthers quha caries not sua honest hairtis to his lordship and my lord Euen his lordship's sone as I do~~. I haue wreten and subscryuit thir few lynis as fallowis, heirby promising that giue (if) it sall pleis God to call to his mercie fuirthe of this miserable worild to his eternall glore my lord Marquis of Hammilton, my maist louing vncle, my lord Euen [Evan] his lordships son vsing me as becumis and vsing my aduyse and his lordships honorable freindis speciallie thais of his lordships awin name as we sall be maist willing and rady to hasard and spend our landis and bludis to his seruice, I sall not seike riguruslie nor vndewtifullie to mak my gane to his lordships prejudise, quhilk giue I waild be malisiue I micht clinen to be lawfull and vndowtit tutor to my lord of Aren our vncle and sua prejuge his lordship, bot sall be contentit his lordship mell with his awin, to wit the leiving the lordchipis of Hamilton with the pertinents, as becumis, as I sall be maist redy to fallowe and assiste his lordship to this effect; provyding alwayis quhilk I feir not that giue it sall happin my lord Euen to dissobey his lordships fathers directioun and do his lordships self or me wrang or vse me vtherwayis nor accoirding to his lordships fathers will and directioun, that I be not preiugit of na thing I may haue rycht to be thir presentis, wreten and subscryuit with my hand as is foirsaid, at Hamilton the last of Marche 1604, befoir thir witnessis Sir James Makixwell of Calderwod, knycht, M^r^ Gawane Hamilton, M^r^ Peter Kennuil and Jone Roberton. Signed J. L. Abercorne.

[Beside the above, and one or two letters, there are no historical papers relating to John first Marquis of Hamilton, except several acts and commissions, most of which have been printed in the Acts of Parliament of Scotland, 1814, *e.g.*, League or Band anent the true religion. [*Ibid*, Vol. iii., p. 423.] Act restoring the family of Hamilton, and others, 10 December 1585 [*Ibid*, p. 383, *et seq*].

Division II.

§ 4. *Papers relating to James second Marquis of Hamilton.* 1604–1625.

95. Bond of manrent to James Marquis of Hamilton by Ranald M^c^alaster, tutor of Lowp, for himself and taking burden for Alester Makalaster, Hector M^c^alaster his brother, sons to the late Charles M^c^alaster of Dowpyne, and all others of his kin and clan of M^c^alaster binding them to do no hurt to the Isle of Arran, under a penalty of 5,000 merks, for 2,000 of which John Kennedy of Blairquhan is cautioner. M^c^alaster signs by the hand of a notary. At Hamilton, 26 June 1607.

The majority of the remaining papers relating to James second Marquis of Hamilton are Acts or Commissions which are already printed.

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§ 5. *Papers of James third Marquis [afterwards first Duke] of Hamilton, and of his brother William Earl of Lanark, afterwards second Duke of Hamilton.* 1629-1651.

96. Commission by Gustavus Adolphus, King of Swedes, etc., in favour of James Marquis of Hamilton to raise a regiment of Scotch and English soldiers for the Swedish service. Dated at the Castle of Upsala 15 December 1629. Signed by the King.

97. Commission by King Gustavus Adolphus, appointing James Marquis of Hamilton a general in the Swedish army. Stockholm 31 May 1630. Signed by the King.

98. Commissions by King Charles the First in favour of James Marquis of Hamilton. (1.) For composing the tumults and discords which had arisen in Scotland; dated 20 May 1638. (2.) For summoning parliaments, conventions of the state and assemblies of the kirk and representing the King in these meetings, as High Commissioner, 29th July 1638. (3.) Appointing the Marquis to be General of the forces to be employed against the king's enemies the rebels and traitors in Scotland, 7th April 1639. (4.) A similar commission, dated 18 June 1639. (5.) A commission to the Marquis as Colonel of his Majesty's footguards, 27 October, 1640. [The remainder of the papers relating to the time of the first and second Dukes of Hamilton consists chiefly of letters, with papers of a similar character, which will form the subject of a later Report.]

The papers in the Hamilton charter chest which are of historical interest, continue down to the time of James fifth Duke of Hamilton, [1712–1743], but as they are chiefly letters, and papers referred to in these letters, they are reserved for the Report on the Correspondence.

Division II.

§ 6. *Miscellaneous Writs,* (1) *Papers relating to the Collegiate Church of Hamilton, etc.,* 1450–1552.

99. Bull by Pope Nicholas V. directed to the Bishop of Glasgow [William Turnbull] narrating at length a petition presented to the Pope by James Lord of Hamylton, knight, to the effect that the petitioner, considering that the parish church of Hamilton (anciently called Cadzow), the rector of which is a dean in the church of Glasgow, was wont to be governed by a single vicar, that it has a large parish with many inhabitants of both sexes, besides a multitude of souls, men making daily journey by land or water, and coming to the church for masses and to hear other divine offices, and that the cure cannot be exercised nor the church duly served by a vicar alone, had granted 20*l.* of lands and annual rents lying within his lordship, for divine service and the cure of souls, and supporting the said parish church, which he desires should be erected into a collegiate church, and that besides the rectory, the rector of which makes continual residence elsewhere, there should be created and instituted a provostry for one provost, and six chaplainries for as many fit chaplains, presbyters; and the petitioner had also given four chaplainries which his ancestors had founded, the chaplainries of Machan, Hamilton, St. Thomas, near the city of Glasgow, and Lanark, the patronage of which was known legally to belong to him, to the said church to be erected and incorporated for the chaplains; the present vicar of the church to be the first provost, etc. The Pope remits to the

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bishop to inform himself of the truth of the particulars stated in the petition, and if they are true, to grant what Lord Hamilton desired by adding a provost and six prebends to the original foundation, and to bestow the patronage and right of presentation upon Lord Hamilton in consideration of what he had agreed to add to the endowment. Rome, 4th January 1450.

100. Commission (in duplicate) narrating the immediately preceding papal bull, and directing the bishop of Galloway [Thomas Spens] and Archibald Abbot of Holyrood to act on behalf of the Bishop of Glasgow, and carry out Lord Hamilton's wishes, the bishop being occupied daily about the King in arduous and necessary business of the realm. Dated at Glasgow, 9th August, and at Holyrood, Edinburgh, 18th September 1451. Bishop Turnbull's seal is attached to both copies of the commission.

101. Bull by Pope Pius II. narrating briefly the terms of the previous bull by Nicholas V. and that Thomas, Bishop of Galloway and Archibald, Abbot of Holyrood, in virtue of their commissions from the Bishop of Glasgow, had erected the parish church of Hamilton into a collegiate charge; confirming that erection and directing the Archdeacon of Glasgow and the Provost of St. John Baptist's church of Corstorphine to induct and instal the provost of the new college, George Graham, who had been presented by Lord Hamilton. Martin Waus had been presented by Thomas Waus, dean of the church of Glasgow, and appeal having been taken to the Court of Rome, the question was decided in favour of Lord Hamilton. Dated at Rome, 10 April 1462.

102. Bull by Pope Sixtus IV. narrating a petition by James of Hamilton, lord of Bertramshotts and Hamilton, stating that there existed in Glasgow diocese the desert place of Bertram-shotts, distant about eight miles from the parish church of St. Mary of Bothwell, and that it is remote and like a desert, although inhabited; and it is in an infertile and cold mountain region, on account of which cold and the distance of the place many of the inhabitants there die without receiving the church sacraments and incur many other dangers, to avoid which the petitioner with consent of the ordinary of the place had founded and ordered to be built in that place so desert, a chapel, under the name of St. Catherine which the ordinary of the place wished to be parochial, and erected the same into a parish, and there built an hospital to receive the poor of Christ; and whereas the rector of the church of St. Catherine for the time and the poor coming to the hospital have no possessions or other goods sufficient for their sustenance the petitioner proposes to endow the church and hospital so erected, and provide to the said parish certain new possessions reclaimed at great cost from the sea, by permission of the King; wherefore the petitioner prayed that the Pope would deign to confirm the foundation and to declare the possessions reclaimed and to be reclaimed from the sea, which are to be given to the said church and hospital, and which are new and have never paid teinds or first fruits to any church, to belong to the church of St. Catherine and the hospital, although the lands are situated in the bounds of the parish of Kinneil, and to provide the teinds and first fruits to the church of St. Catherine and the rector for the time; in terms of which prayer the Pope issued his bull, dated at Rome, 30th April 1476.

103. Notarial instrument narrating an appeal by Arthur Hamilton, Provost of the Collegiate Church of Hamilton and the prebendaries of the same, made to the authority of the Archbishop of Glasgow in a question

of jurisdiction between the provost of Hamilton and Robert Forman, dean of Glasgow and his commissary, who by citing two of the prebendaries had as the provost asserted infringed his rights. To this instrument is affixed the Dean's reply to the provost's appeal dated at Glasgow, 25th May 1514, while the instrument is dated 30th March 1514.

104. Indulgence granted to James Hamilton, Duke of Chatelherault and Margaret Douglas his wife, of St. Andrew's diocese, and eleven other persons to be nominated by the Duke, their wives and children, who supplicated the Pope for the same, that a fit confessor might absolve them from all sentences of excommunication, suspension, and interdict, ecclesiastical censures, and penalties, transgression of vows, and commands of the church, accusations of perjury, and homicide accidental or mental, omissions of fastings, canonical hours, etc., all their sins for which they were contrite and confessed, even if these be such that the Holy See must be consulted, except those reserved in "bulla Cene Domini," once in life and in *articulo mortis*, and of other cases not reserved as oft as need should be, and to enjoin a salutary penance for transgressions, to commute vows of transmarine visitation of the threshold of the Apostles Peter and Paul *de urbe* and James in Campostella, vows of religion and chastity excepted, to other works of godliness; to release from oaths without prejudice of any person, and once in life and in the article of death to give them plenary remission and absolution of all their sins by apostolical authority; that any of the petitioners, priest, noble, or graduate might have a portable altar to perform mass and other divine offices in presence of their families, etc. Also to eat in Lent and other forbidden seasons eggs, butter, cheese, and other milk diet, and flesh by the advice of a physician, without scruple of conscience; and that women included in the indulgence might, four times in the year, visit any monastery of nuns, even those of the order of St. Clare, and converse with them, but not pass the night there, etc. "Concessum ut petitur in presentia. D. H. p̃p̃. B. Card Tranõñ :" No date.

105. A deed of gift by John [Hamilton], Archbishop of St. Andrews as abbot of Paisley, uniting the parish church of Carmunnock to the Collegiate Church of Hamilton, and giving the right of presentation to the perpetual vicarage of Carmunnock to the Duke of Chatelherault and his heirs for ever, in name of his collegiate church, assigning the fruits to the college, while a vicar-pensioner was appointed to Curmannock. The gift was made by the archbishop and convent of Paisley for the Duke's good merits towards them, and in consideration of his rooting out and extirpation of heretics raging in this wicked time, and his defence and protection of ecclesiastical liberty and the ministers of the church of God; and is in form of a supplication to the Archbishop of Glasgow, who had the right of collation of Curmannok, to ratify and confirm the present translation of patronage. At Paisley . . 1552. Signed by the Archbishop, William Leper, prior, and a number of monks. Seal of the Chapter of Paisley appended.

Division II.

§ 6. *Miscellaneous Writs.* (2) *Marriage Contracts; Testamentary Documents, and others of a personal character.* 1504–1737.

106. Process and sentence of divorce pronounced between James first Earl of Arran and Lady Elizabeth Home, in the following terms:— Christe Nomine inuocato Nos Patricius Cowinthre Rector de Garwald et Archibaldus Craufurd vicarius de Erskine Glasguensis diocesis,

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judices et commissarii specialiter constituti in quadam matrimonali causa tendenti ad diuorcium mota inter illustrem magnificumque et prepotentem dominum Jacobum Comitem de Errane ac dominum Hamiltone actorem ab vna, et nobilem ac honorabilem dominam dominam Elizabeth Hwyme ipsius domini comitis pretensam coniugem ream partibus ab altera: Viso libello per ipsum Jacobum comitem oblato, quo cauetur quod licet ipse Jacobus matrimonium tantum de facto cum ipsa domina Elizabeth contraxit carnali copula subsecuta, non tamen potest aut debet de jure sibi matrimonialiter adherere aut eandem maritali affectione pertractare: Ex et pro eo quod antequam idem Jacobus cum ipsa Elizabeth huiusmodi matrimonium contraxit, alter, videlicet, Thomas Haie filius et apparens heres Johannis Domini Haie de Zestir eandem Elizabeth habuit sibi disponsatam in vxorem matrimonio inter eosdem solempnizato: et sic stante huiusmodi matrimonio inter ipsos Thomam et Elizabeth huiusmodi contractus inter ipsos Jacobum actorem et Elizabeth erat prout de presenti est de jure inualidus, quia premissis stantibus in veritate ipsa Elizabeth nunquam potuit sibi Jacobo vxor fieri legitima secundum formam C. Accepisti de sponsa duo, cuius verba sunt hec in forma Accepisti illam in vxorem tibi quam alter sibi habuerat disponsatam; dimitte illam quia nunquam potest tibi fieri legitima, et xl dies in pane et aqua quod carinam vel carentinam vocant cum septem sequentibus annis peniteas, etc. Litis contestatione legitime super dicto libello facta, Visis etiam multorum fidedignorum testium ad probandum contenta in huiusmodi libello productorum depositionibus; ex quibus clarissime constat contenta in huiusmodi libello fuisse et esse probata cum diuersis addicionibus et amminiculacionibus, videlicet, quod ipse quondam Thomas Haie opposuit se coram notario et testibus huiusmodi pretenso contractui inter ipsos Jacobum et Elizabeth, asserendo quod ipsa Elizabeth erat legitima vxor ipsius Thome et sic de jure non potuit nec debuit sibi Jacobo matrimonialiter copulari, contra quorumquidem testium dicta et depositiones nichil erat oppositum aut allegatum, quamvis copia eorundem erat decreta et oblata vnacum termino competente ad opponendum: ymmo huiusmodi aduenient termino Magister Jacobus Haliburntone procurator ipsius Domine Elizabeth judicialiter coram nobis comparens expresse asseruit se non velle excipere aut opponere contra depositiones dictorum testium seu alia producta in huiusmodi causa; ceterisque cause meritis vnacum racionibus informatiuis ad plenum rimatis et discussis jurisperitorum consilio requisito habito et secuto, maturis tractatu et deliberacione prehabitis, pro tribunali sedentes et solum Deum pre oculis habentes eiusque sacratissimo nomine ut supra premitus inuocato: Per hanc nostram sentenciam diffinitiuam quam ferimus in hiis scriptis Pronunciamus, decernimus, declaramus et sentencialiter diffinimus huiusmodi pretensum matrimonii contractum de facto tantum inter ipsos Jacobum et Dominam Elizabeth initum de jure fuisse et esse nullum irritum et inanem, causante huiusmodi impedimento; pretextu cuius ipsos Dominum Jacobum et Elizabeth abinuicem diuorciamus ac diuorcium inter eosdem sentencialiter celebramus; sibique domino Jacobo licenciam in Domino alibi nubendi impertientes; ordinantesque eosdem discretum penitentiarium adire et pro delictis per eosdem in huiusmodi pretenso contractu commissis penitencias salutares subire: Et quicquid alter alteri dederit causa dotis vel donacionis propter nupcias hincinde restituendum fore decernimus: Lecta lata et in scriptis promulgata fuit hec nostra sentencia diffinitiua in presencia ipsius Jacobi domini comitis eandem cum instancia ferri postulantis et domini Roberti Wawch procuratoris

ipsius domine Elizabeth et litis contestatoris in huiusmodi causa citati, vocati et comparentis, in laudem Dei die quodam sabbati nono mensis Novembris anno Domini millesimo quingentesimo quarto infra ecclesiam collegiatam de Hammiltown. Presentibus ibidem nobilibus honorabilibus et egregiis viris Roberto Hammiltown de Prestown milite, Magistro Patricio Schaw, Johanne Schawe burgense Edinburgi, Jacobo Murehed de Lauchop, Willelmo Stenstone de eodem, Alexandro Lewinstone, Adam Melwyn, Domino Wilelmo Lindesaie, milite, Dominis Wilelmo Gardiner capellano, Andrea Panther et Thoma Cvnyghame notariis publicis cum diversis et plurimis aliis. Et in maiorem euidenciam premissorum presentibus nostris manualibus subscriptionibus et signetis subscriptis et signatis sigilla nostra propria sunt affixa vnacum sigillo communi capituli Glasguensis per nos et procuratorem dicti domini comitis cum instancia procurato in presencia precedentium et dicti capituli capitulariter congregati die sabbati xvi° mensis Nouembris anno Domini quo supra. The subscriptions of the notaries follow. They were Patrick Coventry, Archibald Craufurd, David Bruce, Thomas Conynghame, Andrew Panter. The seals once affixed are now wanting. [There are also two official transumpts of the above divorce, made at Glasgow 14 July 1556 ; and two other transumpts of a later sentence of divorce between the same parties, pronounced in similar terms on 11th March 1509–10.]

107. Transumpt also made at Glasgow of a Notarial instrument recording the proclamation of the banns of marriage between James first Earl of Arran and Janet Beton of Weems-Easter, as follows : In Dei nomine, Amen, per hoc presens publicum instrumentum cunctis pateat euidenter quod anno incarnationis Dominice, millesimo quingentesimo decimo sexto mensis vero Nouembris in tribus diuersis solennibus festualibus singillatim diebus, videlicet, dominica secundo die mensis Novembris, dominica immediate sequente, videlicet, nono die eiusdem mensis Nouembris, et in die Sancti Martini episcopi in hyeme vndecimo die dicti mensis Nouembris, indictione quinta, Pontificatus sanctissimi in Christo patris et domini nostri domini Leonis prouidentia Pape decimi anno quarto ; in mei notarii publici et testium subscriptorum presentia personaliter constitutus discretus vir dominus Johannes Weir, vicarius ecclesie collegiate beate Marie virginis de Hammilton ac curatus eiusdem, diebus predictis ferialibus diebus ut decet mediantibus, tempore summe misse in prefata ecclesia collegiata alta et intelligibili voce singillatim coram magna populi multitudine parrochianis eiusdem ecclesie ad diuina audienda congregatis, tres publicas proclamationes, videlicet, tria banna legitima proclamabat inter nobilem et potentem dominum Jacobum comitem de Errane ab vna, et nobilem dominam Jonetam Betoune dominam de Wemis-Estir ab altera, ad hunc effectum quod prefatus nobilis dominus possit legitime matrimonium contrahere et illud in facie ecclesie solemnizare cum prefata Joneta ; asserendo palam si alique persone nouerant impedimentum quodcunque quin dictus dominus comes possit contrahere matrimonium cum dicta Joneta ut profertur quod huiusmodi impedimentum seu impedimenta demonstrarent juxta juris exigentiam ; Quibus diebus sicut premittitur elapsis et prefatis bannis ut prefertur legitime proclamatis nulli ad impedimentum quodcumque in premissis demonstrandum venerunt, prout mihi notario publico et testibus infrascriptis lucide constabat, cuiusquidem banni siue proclamacionis tenor sequitur in hec verba sub sigillo dicti vicarii roborata : Vniuersis pateat per presentes me dominum Joannem Weir vicarium ecclesie collegiate de Hammiltoun ac curatum eiusdem fecisse et proclamasse publicas

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proclamationes, videlicet, tria banna matrimonialia legitime in prefata ecclesia collegiata de Hammiltoun tempore summe misse coram magna populi multitudine parrochianis eiusdem ecclesie ad diuina audienda congregatis, diebus, videlicet, dominica secundo die mensis Nouembris, dominica immediate sequente videlicet nono eiusdem mensis et in die Sancti Martini in hyeme vndecimo die dicti mensis Nouembris anno Domini millesimo quingentesimo decimo-sexto, inter nobilem et potentem dominum Jacobum comitem de Errane dominum Hammiltoun ab vna et nobilem dominam Jonetam Betoune dominam de Wemis-Estir ab altera, et nullum impedimentum inuenisse quin dictus Jacobus comes cum dicta Joneta posset contrahere matrimonium et illud in facie ecclesie solemnizare prout jura requirunt in consimilibus ; et hoc omnibus et singulis quorum interest, intererit aut interesse poterit in futurum notifico per presentes : In cuius rei testimonium sigillum meum in signum mei officii et proclamationis huiusmodi bannorum presentibus est affixum apud prefatam ecclesiam collegiatam de Hammiltoun die vndecimo mensis Nouembris antedicti anno Domini millesimo quingentesimo decimo sexto, Coram hiis testibus, Jacobo Hammiltoun de Schawfield milite, Roberto Robertoun de Ernok, Magistro Arthuro Hammiltoun preposito dicte ecclesie cum diversis aliis. Super quibus omnibus et singulis prefatus vicarius ex officio a me notario publico subscripto sibi fieri petiit instrumentum, etc. to which the same parties were witnesses. [This proclamation of banns was followed by a dispensation and confirmation of the marriage in the usual form, dated 18th October 1518, of which two transumpts are preserved, of date 14 July 1556.]

108. Confirmation by James [Beaton] Archbishop of St. Andrews, Gavin [Dunbar] Archbishop of Glasgow, and others (as Commissaries) of the last will and inventory of the goods of James first Earl of Arran, given up by him at his place of Kinneil, on 26th March 1529. The inventory consisted of goods existing within the diocese of St. Andrews. In the hands of Nicholas Craufurd of Oxingangs, 500*l.* Scots, in numbered money. In the hands of the Earl's son John, Commendator of Paisley, in terms of a contract, 6,000*l.* Scots. In Kinneil, four dacres of hides at 4*l.* per dacre, 16*l.* In the same place, thirteen barrels of tallow at 3*l.* a barrel = 39*l.* Sixteen cows and eight oxen in Kinneil, and utensils, etc. there, value forty merks Scots. The rest of the rents of barley and grain of Kinneil, crop of the year 1528, value 66*l.* 13*s.* 4*d* Goods existing within the diocese of Glasgow. In the moor of Bothwell twenty-four score of cows. In Cambuslang, the remainder of the rents of barley and grain of crop 1528, value 100*l.* Goods within the jurisdiction of Hamilton, 4,000*l.* Scots in numbered money; two vessels [amphoras] silver-gilt ; five cups [tasseas] silver-gilt, with one cover silver-gilt; two cups [cuppas] silver-gilt ; five other cups [tasseas] silver with one cover silver not gilt; one basin [peluvium] and one font [lauachrum] silver not gilt; a water pot, silver not gilt; two candelabra silver not gilt; two saltcellars, silver not gilt; four spoons [coclearia] silver not gilt ; one piece of gold weighing fourteen ounces and a half of gold, price of the ounce, 7*l.*; one gold chain weighing eleven ounces and a third, price of the ounce, 7*l.*; five hundred and twenty merks Scots for the marriage of the laird of Preston, sold for that sum to John Hamilton of Newtoun; all the silver vessels made for ornamentation of church and altar, wholly given and delivered by the Earl to the Collegiate Church of St. Mary of Hamilton; utensils and household goods at Hamilton, value 100*l.* ; body clothes and ornaments of the Earl, except those given to the church of Hamilton, valued at

200*l.*; forty cows within the jurisdiction of Hamilton, in the barony of Hamilton and Mauchanshire, remainder of the crop of the year 1528, value 120*l.*

Among the debts due by the testator are: To William Master of Glencairn for the remainder of the dowry of his son 240*l.*; To Archibald Earl of Argyll for the dower of his lawful and first-born daughter, promised to him before the death of the testator, 1,666*l.* 13*s.* 4*d.*; To James Hamilton of Fynnard, knight, the Earl's natural son for the rents of Easter Wemys and Gorgy received by the Earl for seven years since the death of his wife, lady of these lands, yearly value 500 merks Scots, sum for the seven years 2,333*l.* 6*s.* 8*d.*; To the same for the rents of Drumry, received for three and a half years at 160*l.* a year=560*l.*; To the same for the lands of Fynnard, rents received by the Earl for twenty-five years at 53*l.* 6*s.* 8*d.* = 1,226*l.* 13*s.* 4*d.*; To the same for rents of Crawford-John for nineteen years at 26*l.* a year=466*l.* 13*s.* 4*d.*

The Earl bequeathed his soul to God, the Virgin Mary, and to all saints, and his body to be buried in the sepulchre of his father within the choir of the Collegiate Church of Hamilton; To the fabric of the churches of St. Andrews, St. Mungo [Glasgow], and St. Mary of Hamilton, he bequeathed twelve pence, The earl left to his natural son John Hamilton of Clydesdale 1,000*l.*; to his daughter, wife of the son of the Master of Glencairn 100*l.*; to the earl's lawful and first-born daughter, Countess of Argyll, besides dowry for her bodily attire, he leaves 348*l.* 13*s.* 8*d.*; He leaves to his daughter Isabella Hamilton, now married to the Laird of Corhouse, for her dowry and dress 573*l.* 7*s.* 8*d.*; To his daughter Jean Hamilton, now married with the Laird of Auchinlek, for her dowry and dress 525*l.* 18*s.* 6*d.*; To another daughter, Jean, also Hamilton, now married to the first-born son of Lord Somerville, for her dowry and bodily attire 866*l.* 13*s.* 4*d.*; To Katherine Tayt and her mother 40*l.*; To Margaret Hamilton 40*l.*; To the widow of Kyngles 10*l.*; To Doctor [Doctori] Arbuthnot 50*l.*; To Doctor Kyngorn 50*l.*; to Doctor Manderstoun 40*l.* To Francis Aikman, apothecary, 20*l.*, His other goods and all his jewels the Earl bequeathed to his natural son James Hamilton of Fynnard knight, whom he appoints as executor and tutor to his lawful son James. Confirmation dated at Edinburgh, 1532. Signed by the Archbishops of St. Andrews and Glasgow, and the Dean of Glasgow, and sealed with their respective seals, which are still attached.

109. Contract of marriage between James Earl of Arran Lord Hamilton, Governor of Scotland, and his sister Elizabeth Hamilton, on one part, and William Lord Semple, Robert Master of Semple and Robert his son and apparent heir, on the other part; by which it is agreed that Robert Semple the younger shall marry Elizabeth Hamilton, and Lord Semple shall infeft the spouses in conjunct fee of the lands of Glassford, of yearly value 100 merks; the Earl of Arran on the other hand paying 1,000*l.* to Lord Semple by way of dowry, and shall also secure the spouses in honourable sustenance for three years. With other usual provisions and clause of registration. Dated at Hamilton 27 May 1543. Signed "James G." "Wyllia lord Sypil."

110. Testament by James second Earl of Arran, Governor of Scotland:—At Pynkie the xxvj day of August the zeir of God 1^{m} v^{c} xlviii zeris. The quhilk day we James Erll of Arrane lord Hamiltoun protectour and gouernour of the realme of Scotland makis our testament as followis and levis our saull to God almychty and to the celestiall court of hevin. Anent the Inventure of our gudis quhilkis we ar awand and that ar

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awand to ws becaus the samin is vncertane to ws we ordane our executour underwrittin to ordour the samin and mak payment of our dettis to all creditouris as he will answer to God. Item we mak ane reverend father in God Johnne [Hamilton] bishop of Dunkeld our bruther our anerle executour and als tutour testamentar to our eldest sone and the remanent of our barnys, and levis our said bruther and all our barnys kyn and freindis to the maist Cristin king the king of France and ordanis to haif thame in all behalffis efter his will and plesour and at his gracis consale and command and to deliuer the strenthis of Scotland to his maieste now being in our hand. And will that this our testament be extendit in the largest and maist ample forme that can be devisit. In witnes of the quhilk we haif subscriuit the samin and gart affix our signet thairto and als causit the notaris vnderwrittin to subscriue thir presentis day zeir and place forsaidis befoir Maister Thomas Marioribankis, the Maister of Sempill and Matho Hamiltoun, capitane of Blakness. Signed "James G." The impression of the Earl's signet remains, and the signatures of three notaries are also appended to the document.

111. Contract of marriage betwixt the lady Jean Stewart, natural daughter of King James V, with consent of the Queen Dowager and the Regent Arran on the one part, and Archibald Campbell the son and heir apparent of Archibald Earl of Argyll, with consent of his father on the other part. The lady is to receive as her jointure the lordship of Lorn valued at five hundred merks yearly. Her dowry is five thousand merks, to be paid partly by the Queen Dowager, partly by the Regent, and partly by the lady's brothers, the Commendators of St. Andrews, Kelso, Holyroodhouse, and Coldingham. 1st July 1553.

112. Extract registered contract between James Duke of Chatelherault, etc., Governor of Scotland, on one part, and Jane Hamilton his lawful daughter, and John [Hamilton] Archbishop of St. Andrews her curator on the other part, to the effect that the Duke being cessioner and assignee constituted by Lady Barbara Hamilton, now spouse to James Lord Fleming, liferentrix of the lands and lordship of Badzenoch in the sheriffdom of Inverness, for the term of Lady Barbara's life, had conveyed to Lady Jane the profits of that land and lordship, and had given her full right in the same for the term foresaid, and had also arranged her marriage with George lord Gordon son and heir apparent to George Earl of Huntly, in return for which Lady Jane resigns in favour of her father her right over the marriage of Hew Montgomery, now Earl of Eglinton, with other rights. Dated at Edinburgh 18th January 1553–4. [In connection with this contract are two discharges, the first by James Lord Fleming to the Archbishop of St. Andrews for 542 merks in complete payment of 4,000 merks tocher received with Lady Barbara Hamilton, relict of Alexander Lord Gordon, in terms of a contract with the lady's father the Duke of Chatelherault, dated 18 January 1553–4. Discharge dated 28 July 1555. Second discharge by Hugh Earl of Eglinton with consent of Richard Maitland of Lethington, knight, and others his curators, in favour of the Duke of Chatelherault, his father-in-law, for 500 merks in complete payment of 1,145 merks of tocher, at Glasgow 5 May 1559. Lord Eglinton married Lady Jane Hamilton.]

113. Contract of marriage between Lord John Hamilton, Commendator of Arbroath, brother-german and apparent heir of James Earl of Arran, on one part, and Dame Margaret Lyon, Countess of Cassillis, and others, on the other part. The parties agree to marry each other before the

10th February next [1578] the lady to be duly infeft in Bothwell-moor, and other lands in Lanarkshire worth a thousand merks yearly, with the consent and confirmation of James Earl of Arran. It is also provided that should Lord John succeed to the earldom of Arran, and lordships of Hamilton and Kinneil, Dame Margaret shall be infeft in the barony of Kinneil, reserving a liferent in the same to Dame Margaret Douglas. Dated at Maybole, 30th December 1577. Signed in duplicate "Jhone Hamiltone" "Margaret Lyouñ." A memorandum of the contract undated, is signed "Jhone Lord Hamiltone" "Margaret cũtaš off cassillis." [Margaret Lyon survived her husband John Hamilton, who was created first Marquis of Hamilton, and in 1623 she, as Margaret Lyon, Marchioness of Hamilton, conveyed to her grandson John Earl of Cassillis, etc. as principal and Gilbert Ross, provost of [the collegiate church of] Maybole as cautioner, her conjunct infeftment and liferent of the whole earldom of Cassillis in consideration of a payment to her during her life of 4,000 merks yearly. Dated at Hamilton and Maybole, 16 and 21 April 1623.

114. A contract of marriage between Jean Hamilton, daughter (natural) of John Lord Hamilton, with consent of her father, and Sir Umphra Colquhoun of Luss. 29th December 1585.

115. Contract of marriage between James Lord Hamilton, son and apparent heir of John (first) Marquis of Hamilton, with consent of his father, and Lady Ann Cunningham, daughter of James Earl of Glencairn, with consent of her father. The lady's dowry is stated at 40,000 merks, and she was to receive yearly fifty-six chalders of victual and 500*l.* of money rent. 30th January 1603.

116. Contract of marriage between Lady Mary Hamilton, with consent of her brother James (third) Marquis afterwards Duke of Hamilton, and James Douglas, Master of Drumlanrig.—June 1630.

117. Contract of marriage between James third Marquis of Hamilton on behalf of his eldest daughter Lady Ann Hamilton, and Archibald Marquis of Argyll on behalf of his eldest son Archibald Lord Lorn, when the children should be of age. The proposed dowry was 100,000 merks, while the lady was to be provided in a yearly sum of 15,000 merks. A penalty of 30,000 merks was imposed upon the party who withdrew from the contract (1641, 1642). [The marriage here proposed never took place, and Lady Ann Hamilton married about 1656 William Douglas, Earl of Selkirk, a son of William first Marquis of Douglas.]

118. The Testament and last will of Anna Cunningham, Marchioness of Hamilton, written with her own hand at Holyrood-house, 4 November 1644. "Sens I sei thair is nothing heir serten bot deith and nothing moir ounserten then the tyme and plaices which maks me now in helth to remembir that I most remeif and go to eternitie that shal neuir haue an end; and leist that I should be chapit at on ane soudentie, and erthly and parriching things micht troubbil my mind and be motifs to deuert my hart from thinking on that is moir pratious, I haue thocht it feitest to declair and set doune my last wil in my wordly bisiness and to pout my hous in ordour that I may depart in the greitter peices and quayetnes. So quhen euir it plisis God of greit goodnes to finich the cours of this pilgrimag of my longsim and wiried layf I troust in his mercie only and bay the bloud of his [son] Chrayst Jhesous to be saued and in his hands to randir my soul as deue to him: and I orden my body to be boried in the tombe of Hamilton besayd my deir lord to rest

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thair to that joyfoul day of the resourrection that soul and body shal be joyned for euir and translatit to that heuinly mantion hous that is prepaired for al theis hes treue faith in Chryst Jhesous. I desayr not that thair should be anay aydil schouis or seirimonis at my bourial bot quhat wold be bestoued that way lat it be giuin to the pouir of Hamilton and Kinnil, bot lat soum good and caynd frinds pout me in the grave. I leiue my soune my lord douck if he be alayf my air execitour with my goods and geir; I leiue him my blising and prays the Lord to dereck him and grant that he may mak the richt ouices of this wiseitation that is laid on him and that he may haue Gods glorie before his eis and louck moir to that nor to al that this wordil can giue him. I leiue him my richts and taks [leases] of my coil of Kinnil; it hes cost me mouch monays and seruands deid reip the profeit bot nou it is in so good keis he can not bot mak grit banafeit, pout fayth-foul seruands to it and neuer pout it out of his auin hand; I leiue him al my salt panis and wilis him to big mei [build more] for the profit wil be greit giue God send peices. I leiue him my planichit hous in Kinnil my neue tapestrie and al outhir moufabils I athir meid or bocht excepe my siluir saltfit and soum layttil siluir poringgers I leiue my dochtir. . . . I leiue him my greit diamont ring, I got it from his fathir, it is ane weluet keis and ane lettir of my deir lords with it; he wilet me to giue the lettir to my sonn giue (if) I leiued eftir him bot I wold not so long as I was on layf; he desayred that soum remembirens should be pout on the tombe aboue him and me bot I refer it to my sonnis self for I was only derecked manay yeirs befoir my lordis deith to scho it him; I requist my soune to be caynd to his sister and hir childring for I belieue scho is ane good woman and feirs the Lord. Thair is on thing I wold beseik him to abouif anay erthly thing if euir he win out of prison mack chois of soum good woman to mache with that, if it pleis the Lord, his fathirs hous micht stand in his persoun, quhich I pray the Lord may be. [Various sums of money are here mentioned as bequeathed, among others a sum of 2,000*l.* to be given to the Duke's "dochtir my deir barne Anna Hamilton and bay ane jouel [jewel] to hir with it."]

I leiu my sonne Lainrick my blising; the Lord hald his hart oupricht befoir the and mak him now eftir his past wandiring ane faithfoul seruand in thay caus and lat him neuir fal back from the, leist his last steit be wars nor the first; good God, tak ane greip of his hart and reueil thy-self to him and lat him kno that in the day of deith thair is no confort to be found but in the, for all the monarchs nor monarcheis of the wordil tho thay war ours can not giue ous ane moments eise: ane blinck of the feces of ane reconceilit God is ane sueit thing, thairfoir for Chraystis saik seik in to him in tyme and auay with the foliris of court for thair ways ar bot wicked and al thair delayts and suitnes in end wil bring bittirnes; remembir this is the last saying of ane louing mother." [She also bequeathes to Lord Lanark 20,000 merks, 2,000 merks to be devoted to buying a jewel for his daughter Anna, and the same sum to buy a jewel for Anna Lindsay. A house, yard and acres of land about Hamilton are also left to the Earl of Lanark and he is appointed his mother's executor "if the Lord cal on his brothir befoir he be relifit out of prison," and in such case the Earl is to receive everything that is left to his brother.] "I leiue my deir and only doohter my blising, scho hes bein the confort of my old aig; the Lord confort hir and giue hir joy of hirs. I leiue hir my cout diamont ring scho geue me and the ring with the sayx diamonts hir lord geue me. I leiu hir my grit siluir round saltfit and al my outhir

siluir dichis and poringgers. I leiue hir hir fathirs pictour set in gould. I leiue hir ane pours with fayftin medels and thretti four ros-nobils and al my boucks.

I leiue my blising to my grand chayld Anna Hamilton and leiuis hir the pictour ef hir fathir and mothir set in gould and ane tourkes ring with som of hir mothir's hair . . [with the sum referred to to buy her a jewel]. I leiu my blising to my grand-chayld Anna Montgomerie and beseiks my sonns to haue ane cair of hir; quhen scho is fayftine yeirs scho should haue hir tocher then giue hir ane layttil jouel was my mothirs and if scho be deid giue it to Anna Lindsay.

I leiue Anna Lindesay my blising; I leiue hir ane tebil dayamont I got from my eldest dochtir and the two thousand marks . . to bay ane jouel with. I leiue my blising to Anna Hamilton, Lanricks dochtir; I leiue hir two thousand marks . . . to bay ane jouel to hir. As for my detis I thank the Lord thay are not mouch, sum seruands feis; thair is als mouch monays bay me as to pay them. [A later entry records a bond for three thousand merks over her works in Kinneil, which she trusts they will soon repay.] The Lord of his merci grant his euirlasting blising to al my childring and mak them his seruandis that thair postiritie may incres and flourich; the Lord tak one grip of my sounis harts and let them nocht be left to them-selfis bot leid thou them throuch thair deficoutis. Deir Fathir pardoun the slipis of thair layf, giue them thy grace and crowne them withe glorie. Now my swit God, for thy Chrystis saik helpe me to fecht out my fecht and finich my cours with treue faith in Chrayst my Sauiour and mediatour, beging that thy blised spreit my conforter may com in and neuir leiue me to I randir oup my soul in the hands of him that meid it. So to the Fathir, Sonne and Holy Gost be prais, honour, and gloirie for euir moir. (Signed) Anna Cũñynghame.

I leiue my sonne [son-in-law] the Erl of Crafort my blising; I leiue him ane ring set round with diamonts, and fifti-nayne medel pistolis of gould."

119. Last will of James first Duke of Hamilton, written by himself on the eve of his expedition into England on behalf of King Charles I. "In the name of God, amen, I, James Ducke of Hamilton, Marquis of Clidsdall, &c., being, I thank God, in health, yet considering the vncertantie therof, and the manie dangers that all men ar subiect to, and none more then myself, finds it expedient to make this my last will and testament." He commends his soul to God, hoping for pardon through Christ. He also professes himself "a member of the true reformed religion as it is now established in this kingdome, and a loyall subiect to my gratious master, King Charles." He desires that he may be buried in the ordinary burying place of his ancestors without ceremony or pomp. He commends his daughters Anna and Susanna Hamilton to his brother, William Earl of Lanark, "and as ther hath alwyse beine ane infinit loufe betwixt ws so I ame confident he will expres his to them," etc. The Earl of Lanark is also appointed sole executor, and provision is made that should he die before the marriage of his nieces, the Earl of Crawford and others named are to advise as to such marriage. The Duke expresses a desire that his daughter Anna, and failing her, Susanna, should be married to James Lord Paisley, son of the [second] Earl of Abercorn. After a special request that all his debts be paid, and commending his servants to his brother's care, the Duke concludes "So againe most humble beging pardon frome God Allmighty for my maniefould sines and transgressiones, and that eiuen for the mereites of Chryst Jesus trusting only therin, and for his cause to be

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harde, I willingly submit myself to his good will and pleasoure, to be disposed of as he shall be pleased to think fitt throu the whole cours of my lyfe and in this expedition, which I conceaue tends to his glorie, as well as the restoring of the King and hapines of thir kingdomes. Wryt by my self att Holiroudhous the 12th June 1648, and subscryued, Hamilton."

120. Last will and testament of William [Hamilton] second Duke of Hamilton, brother of the preceding Duke James. Duke William writes in similar words and a like strain as his brother, with a longer preface and profession of religion. He desires to be buried at Hamilton without ceremony. In return for the "extraordinarie kyndnes" shown to him by his brother James, he nominates his brother's eldest daughter, Anna Hamilton, his sole executor, under the conditions contained in a disposition and tailzie made by him at the Hague on 19th March 1650, and failing her, her sister Susanna is appointed executor. He recommends his five daughters, to whom he gives certain pious advices, to the care of his nieces, who are also requested to provide for his servants. The Duke concludes with a long prayer, of which one petition is "If it be thy will O Lord ristore me to my countrie, that ther in peace I may finish the course of my pilgramage in thy feare and loue, loyall and obedient to my gratious King, King Charles the Second, and faithfull and dewtifull to my countrie," &c. "Wreatten by my selfe at the Hage in Holland, the 21st day of March 1650. Hamilton."

[In the same packet with the will are two copies of letters from Duke William to his wife, Elizabeth Maxwell, eldest daughter of James Maxwell, Earl of Dirleton. The first letter is dated from Arran, 11th October 1650; and is a long and affectionate epistle. The Duke refers to his being in a state of danger, and writes as if he did not expect to see his wife again. Besides general encouragement, he recommends to her to be loyal to the King and to the house of Hamilton; and specially to be careful as to the education of her children in piety and virtue, with other advices, in the view of his departure. The second letter was written shortly before the Duke's death, a few days after the battle of Worcester, where he was mortally wounded. It is brief, and is as follows, "Woster the 8 day of Sept. 1651. My derrest heart; You knowe I haue bein long laboring though in great weakness, to be prepared against this expected change, and I thank my God I fynd confort in it in this my day of tryell. For my bodie is not more weakened by my wounds then I fynd my spiritt supported and conforted by the infinit mercies and great love of my blissed redeimer, who will be with me till the end and in the end. My dear, I ame not eable to say much more to you; the Lord preserue you from fainting under tryells, and sanctify the use of them to the comfort of your poore soule. I will not so much as in a letter deuyde my deir neices and you; the Lord grant you may be constant conforts to one ane other in this lyfe, and send you all eternall happines with your Saviour in the lyfe to come; to both of your cares I recommend my poore children, lett your great worke be to make them earlie acquainted with God and ther dewties to him, and though they may suffer manie wants heir before ther remouall from hence, yet they will fynd ane unexoustable treasure in the loue of Christ. May the conforts of the blissed spirit euer be neir you in all your strats and difficulties, and suffer not the least repyning to enter in to anie of your hearts for his dispensations towards me, for his mercies hath been infinitlie aboue his justice in the wholl pilgrimage of, Dear hart, your owne."]

121. The remainder of the documents in this section are of no special historical importance, being only marriage contracts of a comparatively recent date, of which a brief list may suffice:—

(1.) Contract between Lady Mary Hamilton, second daughter of the above named Duke William, and Alexander Lord Almond, with consent of his uncle James Earl of Callendar. 1663.

(2.) Contract between Lady Ann Hamilton, eldest daughter of the same Duke William, and Robert Lord Carnegie, with consent of his father James Earl of Southesk. 5 July 1664.

(3.) Contract between Lady Margaret Hamilton, youngest daughter of Duke William, and William Blair of that Ilk. March 1666.

(4.) Contract between Lady Susan Hamilton, second daughter of James first Duke of Hamilton, and John Earl of Cassillis. 1668.

(5.) Contract between John Lord Murray, eldest son and apparent heir of John Marquis of Athole, with consent of his father and Lady Catharine Hamilton, eldest daughter of Ann, Duchess of Hamilton, and William Douglas, Duke of Hamilton. 24 April 1683.

(6.) Contract between Lady Susan Hamilton, second daughter of the same Duke and Duchess, and John Lord Cochrane, with consent of his grandfather, William Earl of Dundonald. 13 and 17 November 1684.

With others of a more modern date, down to October 1737.

As stated the present Report contains only the charters and miscellaneous writings in the charter chest at Hamilton Palace; the State and other correspondence will form the subject of a separate report. *See* ADDITIONAL CHARTERS, &c., [Nos. 122–174] pp. 202–226 *infra*.

FIRST REPORT ON THE CORRESPONDENCE.

THE foregoing Report on the Muniments of the Duke of Hamilton had special reference to the charters and similar documents preserved at Hamilton Palace. The present notice of these muniments comprehends a large portion of the correspondence of the family of Hamilton.

The correspondence now reported on begins with a brief letter, signed by Mary Queen of Scots, in 1568, and ends with letters addressed to William, second Duke of Hamilton, in 1650. The correspondence of William (Douglas) third Duke and the later Dukes of Hamilton, which embraces the reign of King Charles the Second and the years preceding and succeeding the Union, must be reserved for a third Report.

The papers first noted in the present Report relate to John first Marquis of Hamilton, known as Lord John Hamilton and Commendator of Arbroath. A short sketch of his position and history was given in the previous Report, but a few details may be added bearing on the letters to him. The first in order, a short note [No. 1 *infra*] signed by Queen Mary, reminds us that Lord John was one of her most ardent supporters. The note in question is a simple intimation that Queen Mary had appointed John Lesley, Bishop of Ross, and the Lords Herries and Boyd, to act as her Commissioners at the Conference to be held at York. The Queen also asserts that Lord Boyd was specially commissioned to represent the wrongs of the Hamiltons. From the accounts of the proceedings it is doubtful if this was ever done, but the Queen

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counsels her supporters to keep good order, an advice no doubt prompted by the Parliamentary proceedings against them and the strong hand with which Murray ruled Scotland. It was under the Regency of Morton that the Hamiltons, Lord John and his brother Lord Claude, Commendator of Paisley, were compelled to seek safety in England, where they still were in 1584, when Queen Elizabeth wrote to them as to a reconciliation with the Earls of Angus and Mar [No 2 *infra*]. To this proposal Lord John assented, but Lord Claude, by a sudden return to Scotland, evaded a reply.

The next and following letters relate to a time when Lord John Hamilton was high in favour with King James the Sixth. The letters of Queen Elizabeth [Nos. 3 to 5] and those from the Church of Scotland [6 and 7] call for no special notice, but they are followed by a remarkable series of letters from King James himself comprised in No. 8 [1–23]. Some of these are of a formal character, but others, in the King's own hand, are written in the King's happiest and most familiar vein. These, with one or two exceptions, are given at full length, as they are almost wholly consumed by damp. The letter [No. 8–(8)] is evidently written in the moment of the King's successful completion of his wooing of Anne of Denmark. No. 8–(10), in the handwriting of a secretary, cannot be said to express the King's own sentiments, as it is written on the same day that the irrepressible Francis Stewart, Earl of Bothwell, made his sudden entry into Holyrood Palace, and virtually compelled the King to show "princle humanitie." The P.S. added in the King's own hand, is a somewhat incoherent justification of his sudden submission to Bothwell. Other letters are on the King's favourite subject of hunting [Nos. 8–(12, 13) and 8–(18)]. In the last he begs Lord Hamilton to come to his aid in a national contest of Scottish *v.* English hounds, Lord Home and he having "bragged" of their respective kennels; Lord Home is in possession of nine couple of "fleing feinds," which the King is desirous to beat.

John, first Marquis of Hamilton, before his death commended his only son James, afterwards second Marquis, to the King's favour [No. 10 *infra*], and a gracious reply was sent to the youth on his succession [No. 11]. The second Marquis is chiefly memorable as the King's Commissioner to the Scottish Parliament of 1621, which ratified the five Articles of Perth as to certain forms of worship. Cf. Nos. 13, 14.

The third Marquis of Hamilton, afterwards first Duke, and his brother William Earl of Lanark (who became second Duke), are the two members of the Hamilton family whose correspondence forms the chief subject of this Report. The elder of the two brothers, James, third Marquis of Hamilton, though he became prominent in State affairs, was, according to his biographer, Bishop Burnet, a man of retiring disposition, so much so that for some years after his father's death he remained absent from Court, residing on his own estates. Towards the end of 1628 he was recalled to public life by a special message from King Charles the First, and in the following year engaged himself to aid in the recovery of the Palatinate, the phase of the Thirty Years war in which Britain was most deeply concerned.

The Marquis therefore accepted various commissions under the then most famous leader on the Protestant side, Gustavus Adolphus King of Sweden, in obedience to whom he raised a force of six thousand men, with which he landed at the mouth of the Oder on 2 and 3 August 1631. The history of Hamilton's share of the campaign of 1631–32, so far as it can be gathered from the letters written by Gustavus and his own letters to King Charles will be found in Nos. 15 to 61 *infra*.

It cannot be said that he effected great things, but his army seems to have suffered greatly from famine and plague. He had an interview with Gustavus at Werben on the Elbe, but does not appear to have taken part in the battle of Leipzig (or Breitenfield), though the arrival of his reinforcements probably had a moral effect in bringing about the successful result of that contest. While Gustavus marched against Tilly, first towards Leipzig and then towards the Rhine, Hamilton received orders to act on the Oder, where he gained some minor successes, but the enfeebled state of his army prevented extensive operations. He was then ordered towards the Elbe, and in December 1631 was before Magdeburg, then occupied by Imperial troops under Count Wolfgang of Mansfeldt. It would appear that at a later period (though the exact date cannot be ascertained from the letters) Hamilton joined Gustavus, and is said to have served as a Volunteer in the King's army. He was probably with the King in his operations against Tilly at Donauworth and elsewhere, as one of his letters to King Charles is dated from Augsburg in that vicinity [No. 58], and he must have been with Gustavus at Nuremberg, where he received his first check from Wallenstein. The King, forced by famine and the impregnable position of the Imperialists to retreat, retired to Fürth, and there on 8 September 1632 he signed another commission to the Marquis to raise an additional force of 10,000 or 12,000 men [No. 61 *infra*].

The Marquis, however, owing to the failure of the proposed alliance between Britain and Sweden [Cf. No. 40, 53, 57-60] and other causes, was not so ardent in the Swedish service as at first, and the death of Gustavus on the 6th November 1632, released him altogether from his engagements. The brief account of the fate of the Swedish king, sent by General Leslie to Hamilton [No. 62 *infra.*] will be read with interest. It adds nothing to our knowledge of how the King died, but it is valuable as a contemporary record of the circumstances by one of his famous generals. It is also to be noted that Leslie implies that the fatal shot in the back was the fortune of war, and not the deed of an assassin. He makes no charge against any one, such as has been made, apparently on insufficient grounds, against the person then in immediate attendance on Gustavus, Franz Albert of Lauenburg.

After the death of Gustavus, a correspondence was kept up between Hamilton and the Swedish Privy Council. These letters which are not of great importance, will be found noted under No. 64. A letter from Charles, eldest son of the King and Queen of Bohemia, afterwards Elector Palatine in 1648, is given in No. 63. It announces the death of his father. A series of letters of more historical interest are Nos. 65 to 82 *infra.*, written to the Marquis of Hamilton between 1633 and 1638, by various officers who took part in the Thirty Years' war. They give in some cases details of the more obscure contests and successes on the Swedish or Protestant side of the great war. Letter 65, 66, 67 and 70, from Colonel or General Peebles, who seems to have acted as an agent on the Swedish side, are specially noteworthy in their knowledge of affairs, and shrewd estimate of men and things. Other letters relate other incidents of the war in various parts of Germany. Thus in No. 72 and in No. 73, from Sir David Drummond, we have a sketch of the advance on Prague in 1634 by General Baner and the allied Saxon force, while in No. 74, we have reference to the private treaty concluded by the Elector of Saxony. General Leslie's letters also, Nos. 78 and 80, refer to Baner's movements a year or two later. A letter, No. 75, unimportant in itself, is interesting as a relic of the old Scots Guard of France.

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Nos. 83 to 140 introduce us to a wholly different sphere of action, one in which Hamilton occupied a delicate and ungrateful position. In the contest which arose between King Charles the First and his Scottish subjects as to the Service Book, &c., in 1638, the Marquis was appointed the King's Commissioner to Scotland, and the letters in question are those which passed between him and his master. How Hamilton's own letters to the King returned to his possession does not appear, but all those of the year 1638 here reported on are originals. In this Report they are not given in full, as the King's letters have already been printed at length by Bishop Burnet in his memoir of the first and second Dukes of Hamilton, and Hamilton's own letters have also been printed for the Camden Society, in their publication for 1880, "Hamilton Papers relating to 1638–1650," edited by Professor S. R. Gardiner. Sufficient indication of the contents of each letter is given to show their identity with those printed, and this rule of abridgment has further been applied to the letters for the year 1639, [Nos. 143–209 *infra*], and to numerous letters of the years 1646, 1648, and others, which have also been printed for the Camden Society, as stated in the Report.

It cannot be said that the letters of the first Duke of Hamilton now reported on, throw any new light on the period to which they refer. Though Burnet does not print them in the work referred to, he weaves their contents into his narrative, and as for the more private details meant only for the King's eye, these were in a great measure known to the opposite party, who had their agents at court. Hamilton's letters of 1638 and 1639 show on his part a blind allegiance to the King, who on his side was equally determined to yield as little as possible. The same characteristic of His Majesty is also to be discerned in the letters from Sir Robert Moray to the Marquis, then Duke of Hamilton, in 1646, while the King was with the Scottish army at Newcastle. [Nos. 232–269 *infra*.]

The letters of the Marquis of Antrim in 1646 to King Charles, [Nos. 220, 223, 227, and 230] are written in a tone as of one monarch to another. The Irish chieftain was grievously disappointed when he was not allowed to work his will in Kintyre, where he had landed, nominally on behalf of the King. At the same date will be found letters to the King from Montrose and other Loyalists in Scotland, who also were compelled to lay down their arms. Nos. 213–231.

The state of feeling among the English Royalists during the virtual confinement of the King in the Isle of Wight, when it was hoped that the Scots would make an effort for his release, may be gathered from the letters addressed to William Earl of Lanark afterwards second Duke of Hamilton, during the first half of the year 1648 [Nos. 270–343]. The alternate hopes and fears of the party, the rumours which elated or depressed them, and the real feeling at bottom which ultimately helped to wreck the enterprise, the intense jealousy against the Scots, may be noted from these letters, which, as stated, have nearly all been printed by the Camden Society.

The Scottish army, after much opposition and repeated disappointments, at last entered England, but their numbers were meagre, their march undisciplined, and their advance was made rather under the pressure of clamour from the English Royalists than because they were prepared to fight. The result, as is well known, was a complete defeat, and the Duke of Hamilton became a prisoner [cf. No. 375 for Articles of surrender]. Before this event, efforts had been made to induce Charles Prince of Wales to come to Scotland, and the Earl of Lauder-

dale was sent as a Commissioner to that effect. His mission is narrated in Nos. 359–374, but the battle of Preston, fought as he was penning his last letters, quenched the hopes of the Royalists.

James Duke of Hamilton, on 9th March 1649, suffered the same fate as his Royal Master, and his last letters to his brother [Nos. 377–379], are full of kindly feeling. The report concludes with a few letters from King Charles the Second and Queen Henrietta Maria, to William second Duke of Hamilton, which shew the regard in which he was held. He was then under the censure of the Committee of Estates, but in 1651 he took part in the King's expedition to England and fell at the battle of Worcester. He was succeeded in his titles and the Hamilton estates by his niece, Anne eldest daughter of James, first Duke of Hamilton, who became Duchess of Hamilton. She married in 1656 William Douglas, Earl of Selkirk, who in 1660 was created Duke of Hamilton for life. He took a prominent part in Scottish affairs, but the correspondence and other papers relating to his time will form the subject of another Report.

The correspondence now reported on is arranged as follows :—

1. State Correspondence and relative papers of the time of Lord John Hamilton, Commendator of Arbroath, first Marquis of Hamilton, 1568–1604.
2. Letters and papers of the time of James second Marquis of Hamilton, 1604–1625.
3. Letters and papers of James third Marquis of Hamilton, relating to the time of the "Thirty years' war" in Germany, &c., 1629–1638.
4. Letters and papers of James third Marquis, afterwards first Duke of Hamilton, relating chiefly to the contest between King Charles the first and his subjects in Scotland, etc., 1637–1647.
5. Papers and Letters addressed to William Earl of Lanerick (Lanark), brother of the first Duke of Hamilton, relating to the "Engagement," 1648–49.
6. Letters of the time of William Earl of Lanark, second Duke of Hamilton, 1649–1651.

1. State Correspondence and relative Papers of the time of Lord John Hamilton, Commendator of Arbroath, first Marquis of Hamilton. 1568–1604.

1. Letter from Mary Queen of Scots, intimating to Lord John Hamilton in reference to a former letter as to the conference appointed to be held at York, that she had determined to send the Bishop of Ross and Lord Herries on her behalf, and had also directed Lord Boyd to be present that he might show "the wrangis to our guid sister, that amangis mony vthiris ar done to our derrest cousigne your father" [the Duke of Chatelherault] "be the deputis of our saidis rebellis in our realme; praying yow to keip gud ordour for your part amangis our faythfull subiectis [to our obedience" etc. The letter is dated at "Bowtoun," 12 November 1568, and is written by a secretary, but the signature is holograph "Zour richt gud cusignes Marie R." [There is another letter from the Queen to Lord John Hamilton, then Commendator of Arbroath, dated from Sheffield, 22 September 1571, but it is almost wholly undecipherable from damp. It appears, however, to be a mere friendly commendation of his services. It concludes with

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the words in the Queen's own hand "Your most asured good frind and cusignes, Marie R.]

2. Letter from Queen Elizabeth to Lords John and Claude Hamilton, thanking them for their professed readiness to accept her mediation in the matters at variance between them and the Earls of Angus and Mar, who had come from Scotland to England; that she had made choice of the bearer [Mr. Bowes] to deal between the parties, in which she hopes he will find no great difficulty, seeing that the proposed agreement is for no other purpose than that they may be better able, being united in goodwill and friendship, to do the King, their sovereign, service. She concludes by expressing a hope that the King's favour at present withdrawn will ere long be restored to them. At Hampton Court, 10th October 1584. Signed "Your very assured cousin Elizabeth R." [Accompanying the Queen's letter is a friendly note from Sir Francis Walsingham, recommending Mr. Bowes. London, 3 December [1584].

3. Letter from Queen Elizabeth to Lord John Hamilton, expressing concern for the embarking of King James the Sixth for Norway, a step against which she would have advised him. But considering how firmly resolved the King was in his purpose, she regrets his absence the less, that he had shewed care for the government of his realm. The Queen congratulates Lord John on his appointment to the charge of the south borders of Scotland, and trusts that he will take order to suppress evil disposed persons. The letter is much mutilated. It bears the Queen's signature, but no date, the date being apparently obliterated by damp. c. 1589.

4. Contemporary copy of a letter from Queen Elizabeth to the Governors of Scotland in the absence of King James, written in general terms referring chiefly to the King's voyage and its purpose, and to the state of the borders. The Queen concludes by offering her aid, if found necessary, to suppress any disturbances which might be fomented amongst the nobility. Dated at Somerset House, 26th November 1589.

5. Contemporary copy letter, Queen Elizabeth to King James the Sixth, expostulating with him as to his "new begun frenzie," apparently relating to his lenient treatment of the Catholic Earls, Angus, Huntly, and Errol, who were "returnit, and thai seine winkit at without restraint." The Queen refers also to letters from Rome and elsewhere sent abroad, and men authorised, as is reported, to assure foreigners of the King's conformity and intention to establish the "dangerous partie" (the Roman Catholic party). She bids him be sure that if he makes his strength "of sa sandie ane foundatioun as to call to your aid suche aideris as be nocht of your flok, quhair as the ane syd be folische rasche heidbige and braineseik, yit such as may defend yow for thameselffis having no sur anchorrage, if yow faill thame; and the other quha have other propes to sustene thame thocht thai laik yow." With further warning, the Queen concludes by excusing her interference on the ground of earnest desire for the King's welfare. No date.

6. Letter from a convention of the Church of Scotland to Lord John Hamilton, wishing him "grace and peace," and calling upon him to repair with his friends to Edinburgh on the 27th instant, to be in readiness to take order that religion be put out of danger and his Majesty's person freed from the hands of Papists, &c., the trial of the

Catholic Earls of Angus, Huntly, and Errol being fixed for the 29th instant, at Linlithgow. Edinburgh, 23 October 1593. Signed by David Lyndesay, Mr. Robert Bruce.

7. Another letter from the same Convention, addressed to Lord Hamilton, but apparently a circular, referring first to the mercy of God towards the country in discovering of the "platis" (plans) of the enemies of the truth, that all men may see clearly their purpose to set up the kingdom of darkness and papistry: intimating that the Catholic Earls and their accomplices were to assemble at Perth on the 24th instant, with their forces, under pretence of putting the Earls to a trial of their reasons in betraying the country to the King of Spain, but in very deed that being thus first assembled in the fields they may perform their enterprise in the overthrow of religion and its professors before they separate or can be resisted. Lord John is therefore summoned, in terms of a special Act of Council and as he will be counted zealous in the cause of Christ, to show himself in a most sensible manner, accompanied by his friends and servants, at the place appointed, to join with others in maintaining the cause of Christ and resisting the godless. Warning him that if the good cause sustain loss by his negligence he will not be held guiltless by God. At Edinburgh, October 1593. Signed, Mr. Robert Bruce, Walter Balcanqwal.

8. A series of letters from King James the Sixth to Lord John Hamilton.

(1.) A permit in usual form, signed by the King and Sir John Maitland of Thirlstane, in favour of Lord John and his spouse, allowing them to eat flesh in Lent, for their lifetime. Holyrood House, 15 February 1585–6.

(2.) An order to Lord Hamilton to convey David Earl of Crawford and John Earl of Montrose from Linlithgow to his house of Kinneil, there to be kept in "straite waird" under his charge. At Linlithgow, December 1585.

(3.) A missive from the King to Lord John to the effect that as the latter had recently obtained a decree in the Court of Session against James Steuart, chancellor (formerly Earl of Arran) which decree Lord John was entreated by his friends to transfer to them, the King earnestly begs that he will keep the decree in his own hands till their meeting, as the King had something to communicate in the matter personal to himself. Holyrood House, 5th December 1586.

(4.) Letter summoning Lord John to Edinburgh to be present at a Council on 13th March, and consult as to the affairs of the west border which had been neglected by the Earl of Morton (Lord Maxwell) some time warden. Dalkeith, 7th March 1586–7.

(5–7.) Instructions to "Johne Lord Hammiltoun our Lieutenant in the west, presentlie direct be ws to our burght of Drumfreis for the repressing of thevis and malefactouris vpoun our west marche. At Halyrudhous the penult day of October (30th October) 1587." These instructions are chiefly formal, and with them are two letters conveying special directions to meet particular cases, so that disorders may be prevented as far as possible among the borderers who had been summoned to meet the King at Dumfries.

(8.) A holograph letter from the King. "Goode milorde quhat constant guide opinion I hadd of you & quhat trust I haue in you I declairid be my letre unto you at my pairting & nou be this bearare Coronell Steuart my trustie seruande and youre freinde I send unto you the certaintie of thay guide neuis that ye haue lang luikid for, for

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in a uorde all thingis are succeidit with me sen my pairting according to uishe & haue praisid be Godd as to the particulairis of all thingis I remitt to the saide bearare the ample declaration (sic) thairof quhom I pray you to creditt in sicc directionis as I haue burdenid him uith to deliuer unto you quha uill informe you of my dyett & mynde in all thingis in the meantyme make youre full accounpte that I sall neuer foryett the promeis I maide you in the bischoppis yairde in the abbaye oft reneuid sensyne according to youre uishe & sure hope quhen ye uas a banisht man, thus sen the haistiness of my dispatche uill not permitt me to uritt any farther I bidd you hairtelie fairueill. from Opsloo the first of December 1589. Youre maister in the aulde mainer James R.

I man milorde importune you for a man heir that I ame sa mekill behaulden to at this tyme I meine the iustice clerke "(Sir Lewis Bellenden)" that for my saike ye will end that particulaire unto him that he hes bene sa lang in suite of; guide faith, I uill count it as done to myself & thairfore I assure myself I uill not be refusid."

(9.) Letter requiring Lord Hamilton to provide that Mr. Patrick Hamilton, who had lately returned from Bute and was now seeking to be keeper of Arran, should not only be withheld from that office, but should be forthcoming for his offences, which the King would not have suffered so patiently had he not believed that Lord Hamilton would satisfy him in the matter. The King reminds Lord Hamilton of his special favour in regard to the abbacy of Arbroath. He begs Lord Hamilton's aid "for ane fatherles boy air to ane servand of ouris laitlie depairtit, the mater being small and the onlie thing we seik of the Abbacie of Arbroth, we know ye will nather refuise nor delay our requeist, bot wilbe as willing to satisfie ws in this mean thing as we ar to pleasour you in the haill abbacy. James R." No date.

(10.) Letter of date 24 July (1593), intimating to Lord Hamilton that Francis Steuart, Earl of Bothwell, and his friends had come to Holyrood, and "thair in all humilite on thair kneis craved our pardon, ... whilk homill petition we culd not bot of princle hvmanite admit and thairfor in caise ony vald inform yow to the contrary that we ar detenit and pressit agains our will and hartis lyking yow sall give na ear thairvnto bot keip yourself quiet and peceabill," &c. "James R." A postscript in the King' own hand runs thus: "Milorde thir folkis haue promeisit all humilitie. Suppoise the forme was uoilent & indeid presentlie thaire is na force heir bot myne."

(11.) Letter holograph of the King beginning: "Milorde hauing hard of youre cumming this day to the day of law accumpaneit with youre freindis," and desiring Lord Hamilton, in respect there was no accuser but the King himself, to bring only his ordinary train, "sen it is ane ill example to brekk the lau baith maide in parliament & reneuit be proclamation." With expressions of good will, "Youre louing freind & maister James R." No date.

(12.) Letter holograph of the King. "Milorde I haue receaued youre brache for the quhilke I thanke you hairtly, as for the couple of houndis thay or ma sall be reddie quhensoeuer ye sall pleis to sie my kennell rinn, & helps to uaill thaime out youre self thairfore I pray you gather fast that may be abill to beir me cumpany at all tymes, for in guide faith I greine (long) for it ellis: nocht ellis but fairueill. Writtin in haist. Youre louing freinde & maister James R."

(13.) A letter informing Lord Hamilton, that as the King understands he is now more occupied in building than in hawking, the King has been "so hamlye" as to retain his "doogis for the poŭttis" a short

time, and bids him excuse the bearer returning without them, &c. Falkland, 6 July 1595.

(13, 14.) Two letters relating to the baptism of the Princess Elizabeth. The first, dated from Falkland, 8th September 1596, requiring Lord Hamilton's presence at a Convention to be held at Dunfermline on 28 September, to deliberate on the matter; while the second letter, from Linlithgow, 13th October 1596, informs Lord Hamilton that the baptism is fixed for the 28th of November, at Holyrood, that none are to be invited but "our awin nobilitie and sum speciall personis of gude rank and accompt, that the same mycht be the mair quietlie and with the lesse circumstance past owir," and that the King has appointed him one of the "gossopis," and specially requests his attendance.

(15.) Letter expressing the King's hearty good will towards Lord Hamilton, and sending the bearer, Sir Patrick Murray, to receive the Castle of Dumbarton. Holyrood House, 29th December 1597.

(16.) Letter informing Lord Hamilton that the Earl of Huntly is desirous to speak with him, "to quhom we haue impairted our mynd in sic particulares as he will acquent [yow] with; quha being the maist speciall nobilman of your kin and friendschip we dout not of your conformitie to his aduise and opinioun in sic thingis as he sall imparte to yow in our name sen nature and dewitie obleiss him to be cairfull toward your wele and honnour," &c. Holyrood, 20th December 1597.

(17.) A letter, holograph of the King, referring to the above. "Milorde ye haue hadd sa lang and constant a proofe of my fauoure touardis you (as I may . . I haue hadd of youre honest service) that I neid not giue you any farther assuirance thairof farr lesse that my seeking Dumbertaine of you at this tyme is anyuayes for youre disgrace but onlie for sicc other respectis as I causid youre nephew the erle of Huntlie to shau unto you, & thairfore that ye maye haue the greater proofe of my goodewill alsuell towardis you as youris I uill uillinglie consent that youre sonne sall brooke the Abbay of Arbrothe eftir you and that it sail remaine at youre house, quhairof I ame contente that thir presents serue for a promeis in the uorde of a prince & sa assuring you that ye sall finde me alluayes ane unto you I bidd you hairtelie fairueill. from Halirudhouse the xxi. of December 1597. James R." [This letter is much destroyed by damp.]

(18.) Another holograph letter, not dated, also much destroyed. "Milorde as I taulde you at youre being withe me I ame sa contineuallie braggit uithe milorde Home that I haue to defend the honoure of Scotlande at this tyme, he uill be heir on Weddinsdaye next uith nyne couple of fleing feinds as they saye thairfore I praye you to send me with the bearare tua or three of youre fleitest and fairest running houndis & because in goode faith I ame disprouydit of horsis I uill in a hamelie maner praye you to send lykeuyes with the bearare Griseld Blackstow, or gif he be not in that cace any other hunting horse & on my honestie na boddie sall ryde on him but my self & baith he and youre doggis sall be returnid to you immediatly . . . . I comandit the guidman [of] Grange to helpe you to choose the doggis. Thus not doubting ye uill be a goode fallou in the aulde maner to this my reasonable request & uith Goddis grace the Englishe tykis shall be dung doun I bidd you hair[tilie] fairueill. Youre louing freinde in the aulde mainer James R." [This letter also in a very illegible state.]

(19.) Another holograph letter, also undated. Mylorde the neu uyne is sa . . . & unquholsume this yeir as I haue tane a laith of

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it thairfore I pray you prepaire Dutche beir for me againe my cumming to Hamilton & because the tyme ye knaw drauis neir it uaire guid ye begouth in tyme to prepaire you this farr according to my promeis : all other particularities I remitt to my next aduertishement, in the mene tyme not doubting bot ye uill keipe this to youre self I bidd you hairtly fairueill. Youre maist louing freind & maister. James R.

(20.) Another holograph letter, undated, and much torn, but of no great importance, informing Lord Hamilton by the bearer as to certain "misreports," and earnestly begging him to attend the coming diet of Parliament.

(21.) Another holograph letter, also torn, relates apparently to a similar subject. "Milorde I haue thocht goode to send this gentleman my seruaunde & youre awin freinde unto you to informe you of the treuth of all things that bussie folkis ualde faine putt you in a bussinesse uith I praye you thairfore to truste him & use the aduyce that he uill giue you for sen euer I knew you I neuer . . in youre handis to be mistrustid & I haue neuer yett b . . . . brekkaire to any man & I ualde be laith to beginne . . quho I man confesse brakke neuer to me; thus remitting . . particulairs to his report I bidd you hairtlie fairueill. James R."

(22.) Letter to Lord Hamilton, in which the King, after the usual greetings, informs him that he had persuaded Lord Maxwell, who had been with the King, to visit his wife and son, and to use himself towards Lord Hamilton and them as becomes. The King adds "We haue thairfoir thocht gude sen he is ane cankart young man to beare with him, ressave, welcum and vse him with all lenitie and courtesse that he may think himselff the bettir handillit for our caus and commendatioun and that our persuasion hes done him gude," &c. Signed "James R." Dated at Falkland 23 July 1601.

(23.) A letter written after the King's accession to the English throne, desiring Lord Hamilton in general terms to continue in his former fidelity, and to be assured of the King's undiminished affection for his "good subiectis"; beseeching Lord Hamilton to assist the Scottish Council in their deliberations as often as required. Hampton Court, 9th August 1603.

9. Letter directed to Lord Hamilton, against Lord Ross (of Halkhead), who had some time before been denounced a rebel at the instance of Alice or Alison Ross, now spouse of Sir John Melvill, of Carnbie, knight, while letters of treason also were directed against him for rendering his castles of Halkhead and others; and because Lord Ross continues rebellious, and detains his castles in contempt of the King's authority, Lord Hamilton is authorised to punish him and reduce him to obedience, a commission which is to be executed without delay. Linlithgow, 30 September 1591.

10. Letter from John Marquis of Hamilton to King James the Sixth, while in his last sickness, recommending his "only and derest sone" to the King's favour, with terms of affectionate attachment and a hope that if he recovered, he might yet "to my great comfort and contentment to sie your hienes (quhais absenc and depairtour from us as many can beir vitness hes not only bene ane greif to me, bot the only caus of my present heuie diseas)." He is persuaded that his son will find his Majesty's power to the disappointing of his enemies the Papists, &c. Signed by Lord Hamilton, "Your Maties maist humbil and most obedient subiect and seruitour J. Hamilton." Not dated, c. 1604.

2.—Letters and Papers of the Time of James, second Marquis of Hamilton. 1604–1625.

11. Letter from King James the Sixth to James, second Marquis of Hamilton, acknowledging a letter and message from the Marquis, accepting his dutifull and affectionate purpose of pursuing the same honourable and loving course as the late Marquis, his father. The King promises a confirmation of the Abbacy of Arbroath, &c. Whythall, 5th May 1604.

12. Contemporary copy of the letter by King James to the Church of Scotland, dated 10 July 1618. [This letter is printed at length in Calderwood's History of the Kirk of Scotland, Wodrow Ed., Vol. VII., pp. 308–311.]

13. Commission under the great seal to James Marquis of Hamilton, appointing him Commissioner and Vicegerent for the King, at the Parliament to be held at Edinburgh on 23 July 1621. Dated at Oatlands 3 July 1621. [Printed in the Acts of the Parliaments of Scotland, Vol. IV., p. 592.]

14. An approbation of the procedure of the Marquis at that time, and of all things done in that Parliament as honourable for the King and beneficial for the subject. 19 September 1621.

3.—Letters and Papers of James, third Marquis of Hamilton, relating to the Time of the "Thirty Years War" in Germany, &c. 1629–1638.

Letters from Gustavus Adolphus, King of Sweden, and others, relating to the war in Germany previous to that King's death. The more important only of the Swedish King's letters are here quoted or referred to, many of them being of no special interest.

15. The letter of earliest date from King Gustavus begins: "Illustrissime Marchio, quo affectu ac beneuolentia Illustritas tua nos ac negocia nostra quæ iis in partibus expedienda habueramus semper sit prosecuta: id cum ex aliorum relatu tum commendatione Consiliarii nostri et copiarum Britannicarum Generalis illustris ac generosi nobis sincere fidelis Domini Jacobi Spensij liberi Baronis de Orholmen Domini de Wormston abunde percepimus. Neque enim id tantum Ill. tuæ ope ac promotione factum est ut quas per eum militis Scotici Anglicique collectiones hoc anno instituerimus felicem celerem que habuerint eventum; sed etiam quod generosus Dominus Alexander Hamelton Ill. tuæ consanguineus ipse nos hic in Suecia visitaverit secretaque et ingeniosa sua inventa nobiscum communicarit. Agnoscimus eum Ill. tuæ affectum animo benigno: necquicquam magis optamus, quam ut occasio saltem aliqua offeratue qua re ipsa testari possimus quam grate hæc Ill. tuæ officia acceperimus et quanto eam fauore vicissim prosequamur. Et quia idem Dominus Hamelton simul nobis hic retulit Ill. tuam ab eo consilio non esse alienam ut in has oras profuturo anno digrediatur et cum nos in regno nostro visitet tum cæteras Septentrionalis hujus mundi plagas perlustret: Ideo non possumus non laudare Ill. tuæ propositum eamque assecurare si id itineris in se suscipere libuerit non modo adventum ejus nobis fore gratissimum sed etiam nos ejus præsentiam omni gratia ac fauore regio complexuros. Cui de cætero ad cuncta regiæ beneuolentiæ officia præstandum benigne sumus propensi: Atque his eam protectioni divinæ gratiose commendamus. Dabantur in arce nostra Vbsaliensi die xii. Decembris, Anno M°DC°XXIX°. Gustavus Adolphus."

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16. On 30th May 1630 certain conditions were signed by the Swedish King, who on the same day wrote to the Marquis that his friends Sir Alexander Hamilton and David Ramsay had faithfully explained his determination, which the King gratefully accepted, as nothing could be more agreeable "Eo enim tempore nobis obvenit hic nuncius quo nos soli, aliorum operâ pro Germaniæ restitutione jam fere desperatâ, in procinctu essemus, ut ipsimet in solatium amicorum progrederemur. Quemadmodum igitur non possumus non maxime laudare tam generosum Ill. tuæ consilium ceu ad omnem posteritatem nomini et familiæ tuæ æternum decus daturum." The King refers the Marquis to David Ramsay for full particulars. Dated at Stockholm 30 May 1630.

17. In the following October the Swedish King wrote to Sir Alexander Hamilton that although he knew nothing certainly regarding the efforts made by the Marquis of Hamilton in levying an army, yet as it was commonly reported that the King of Great Britain was giving assistance, he wishes that Hamilton would let him know the state of matters. And if the Marquis still thought to levy the forces and join Gustavus, the latter desired some fit man might be sent to him, through whom their plans might be safely communicated, &c. At Ribnitz, 8 October 1630. [A letter from David Ramsay, who had been sent to Holland, of date The Hague, 8 November 1630, to the Marquis, contains the following sentence, the only one of interest. "I am in a very good houp boeth from the King of Boheme and the esteatis to procur sum assistance for the aduancement of your lordships affairs . . . My greatest deficulties with the king of Boheme and the esteatis is that they can not belieue that the king of Ingland intendis aney thing reallie for the aduancement of your busines, the wich your lordship must remowe boeth by his letteris and your awine."]

18. Writing from Stettin in Pomerania to the Marquis, Gustavus congratulates him on the success he had in levying troops, which he learned from letters as well as the relation of Sir Archibald Rankin. In regard to the conditions proposed by the Marquis the King had with Rankin and Mackay (Lord Reay) come to a resolution which he hopes will satisfy the Marquis, who is recommended to put full confidence in the persons named. 3 December 1630.

19. Letter in which Gustavus writes to the Marquis that he doubts not that he now knows the King's mind from Mackay, as to his proposed expedition. He earnestly recommends Mackay as a fit and faithful man from himself. He has given orders to Louis Camerarius, his ambassador in Belgium, and to Eric Larson von der Linde, ambassador at Amsterdam, as to the junction of forces and supplying warlike material. The Marquis is to communicate with them. He is also to give the bearer, Thomas Convay, a place in the levy suited to his rank and valour, as his services will be of use, and his knowledge of the localities is not to be despised. From Newmark Brandenburg 15 January 1631.

20. On the same date, Lord Reay wrote from Elsinore, informing the Marquis, generally, that he had powers from the Swedish King to "end" with Hamilton in all things; that the Marquis was to receive a free passage through the King of Denmark's dominions. The Emperor's ambassador was at Copenhagen trying to thwart Reay, but he hoped for a speedy and good despatch. The King had promised to send 6,000 men (to meet the force levied by the Marquis) but Reay advises that as it will be difficult to spare these, the Marquis should levy his own 4,000 foot, and the King will send the money to do it

with. An answer to this is requested. Lord Reay goes on "gew he (the king) send the men he will send Sir Alex^r Lesly and Sir John Habourn (Hepburn) with ther Douche regements; he wald hew Lesly to be sargant maijor generall to your excellency, at leist he will command all the kingis forcis that will be under your lordship." The Marquis is to have twenty warships to attend on him, the King giving 40,000 rix-dollars yearly to pay them. Lord Reay is the bearer of two letters to King Charles I., the first thanking him for his aid given to Hamilton, the second asking the loan of so many ships. The King desires Thornisbek to have the rank of "Felt or camp merchell," with 6,000 men under him, but this is left to Hamilton. "The King heiring that I was off mynd to joine with your lordship he wald prewin me with heiping moir honouris and profit on me then any evir hed in his armie; his majesty hes gewin me thrie regementis, and hes maid me Captan off his owin ‡gardis whiche now most all be Schottis gentillmen. I could not refous his Majesty's offeres, bot that your excellency sall sie quhou far I am redy to be your lordships serwant I will laiff all that, and traill a pik wnder you gew I can not serff to no better ous." He also informs the Marquis that on the 11th November a great victory had been gained by the Swedish King at Colberry in Nether Pomerania, which would have been more complete had the Swedish and Finnish cavalry done their part. Since Reay left him, the King had attacked the enemy's leaguer, and put most of them to the sword, the rest fleeing to Rostock and other places in Mecklenburg. "They haw not a fit now in boithe the Pomers (Pomeranias) bot Gripiswall (Grieffswalde) & Colberry: his majesty hes left garyson in 23 passis and tounes in Pomer and hes marchett up to Selesia with 1600 fit, 9000 hors, 70 feilding peissis 10 tartou for battery. God hes fochtin for ws all this yeir; they never reinconterit ws bot we beat them steill. I pray your excellency to excous my tedyousnes & evill hand of your excellency's most humbill servant D Reay." A postscript states that he had been detained at Stralsund 19 days on his journey by frosts. He adds particular instructions as to the ships required by the Marquis.

21. Letter from Louis Camerarius to the Marquis, thanking the latter for his confidence in the writer; wishing all success to his designs and promising every assistance. The Hague, 27 January 1631. Signed "L. Camerarius."

22. Letter from David Ramsay to Colonel Alexander Hamilton, the chief purport of which is that he can gain nothing in his negotiations with the Prince of Orange or the Estates, unless the Marquis of Hamilton can procure letters to them from King Charles I., but failing this, he begs such letters from the Marquis himself. Farnsbeck had left Holland for Sweden long ago. The Prince of Orange and the King and Queen of Bohemia were very curious to know what progress had been made by the Marquis in levying troops, &c. Signed D. Ramsay. The Hague, 8 February 1630–1.

23. Letter from the Swedish King to the Marquis, repeating his desire for information as to the progress of the levies, and their intended destination, &c., pressing for more frequent communication with himself and with Camerarius. Stettin, Pomerania, 2 March 1631.

24. Letter from Salvius, agent of Gustavus at Hamburg, to the Marquis; that his Swedish Majesty had appointed him to prepare for the expected force of Scots and English, and he had obtained from the Prince Archbishop of Bremen free admission to his territories for the troops, and a kind reception. The recruiting in Belgium for the

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German Legion promised to Hamilton by Gustavus was rendered difficult, as the Estates General were themselves raising soldiers. He had engaged four officers, Lohansen, Gurtzge, Sangeshausen, and du Meny, in levying men, and arms would be ready. Everything was diligently preparing for the arrival of the Marquis. The convention at Leipsic of the Protestant States was dissolved on $\frac{3}{13}$ April, with a firm and long desired resolution that the freedom of Germany should be vindicated by arms. The Swedish King on $\frac{3}{13}$ April had taken Frankfort on the Oder, and had opened for himself a passage on that side into the hereditary possessions of the Emperor. The place was large and seven regiments (legiones) of the enemy occupied it, but more than two generals and many officers were taken. Salvius concludes "Deo sit laus sempiterna qui tantis rerum successibus certo ostendit, jam tandem oppressi Evangelii restitutionem sibi cordi esse; cujus divinæ protectioni Ill. Exc. vestram me que suo fauori perofficiose commendo. Hamburgi die $\frac{16}{26}$ Aprilis Anno 1631. Illustr. Excellæ. Vræ. Observantissimus J. G. (?) Salvius." [The words after the date are autograph.]

25. Gustavus Adolphus to the Marquis of Hamilton in answer to his requests that the King would send some one whose advice and assistance would be of use, stating that he had despatched Sir Alexander Leslie, knight, who would share Hamilton's cares, and would complete his labours. The King has given Leslie ample instructions, and has no doubt all things will be done to a wish. But lest any hindrance or delay arise from the King of Denmark, the Marquis will do well if he can procure a letter from the King of England, before the army embarks, to assure Denmark that the expedition will do no injury to friends, but is directed to secure the liberties of Germany, and to beg assistance and favour. From Frankfort on Oder, 28 April 1631.

26. The instructions to Colonel Leslie are very ample, the chief points being, that the mouth of the Weser is fixed as the rendezvous, and the 30th of June, the day of landing of Hamilton's expedition, three regiments of foot and 1,000 horse to join him, as promised. If levies cannot be effected in Holland, Colonel Leslie and Dr. Salvius are to recruit in Lubeck, Hamburg, and Bremen. Failing all other sources, three regiments are, if possible, to be raised in England or Scotland. Bremen is to be Hamilton's headquarters. The King of Denmark is to be assured that nothing is intended prejudicial to his son's pretensions to Bremen, but rather the maintenance of the present bishop, uncle of Gustavus, and of the right of Denmark's son to succeed to the bishopric is desired. If Denmark will not assist, he is to be asked not to hinder, but sit still. Particular provisions are made as to money, pay, victuals, ships, obstacles to landing, &c.

27. Letter from Colonel Sir Alexander Leslie to the Marquis, announcing his arrival at Hamburg, that he had made preparations there and at Bremen; he repeats the statement as to difficulties in the way of recruiting, but will do all he can. He expresses his anxiety to serve the Marquis. Signed "A. Lesle." Hamburg, 12 May 1631.

28. Letter from Camerarius, chiefly as to money. He trusts the King of Great Britain will favour the enterprise, to encourage the King of Sweden and support the common cause. The Hague, 21 June 1631.

29. From the same, a letter sent by Mr. Ashley; that "le General Sergeant Maieur Lesle" will soon reach the Marquis, and that Mr. Elphinston will fully tell him the King's intentions. He is very glad to learn that the troops are ready, and that they will soon be embarked. He prays for their success, and assures the Marquis that when they

have arrived in Germany in a place of safety, where they can halt, the King will soon take care that his design may be advanced, &c. Signed "L. Camerarius." The Hague, 7th July 1631.

30. Letter from Gustavus, accepting with gratitude the intelligence that Hamilton's troops are ready. At Werben of Oldmark, 13th July 1631.

31. Dr. Salvius to the Marquis of Hamilton, that as he understands the Marquis will land in Germany on 5 July, he has laboured, that men may be ready to meet him. He has made a league with the Archbishop of Bremen, who will readily receive the troops, but the writer will reveal no council to the men of Bremen, lest from the multitude of heads, the news reach the enemy ere the Marquis arrive. The King will send from his own army the promised German troops. Salvius relates his negotiations with the Duke of Luneburg, the King of Denmark, and others. Tilly with his army has been driven from the Archbishopric of Magdeburg by Thuringia to the confines of Hesse. It will therefore be fitting if the Marquis, coming to the Weser, and casting anchor at Blexen and landing at Gertendorff, should take possession of Bremen with friendly violence. Then with fortifications raised above Bremen, and a front presented to the enemy, he may wait till joined by the German troops sent by way of the Elbe, who may occupy Stada, and with the provincials may clear the rest of the province. This is the writer's opinion and that of some of the Archbishop's councillors. At Hamburg, $\frac{4}{14}$ July 1631. Signed "Observantissimus quoad vixero J. G. Salvius."

32. Gustavus Adolphus to the Marquis of Hamilton, rejoicing that he and his forces had arrived safe and well on the coast of Pomerania. The King would not have been displeased if the Marquis had landed at the Weser, because he considers this a favourable time for driving the enemy from the Archbishopric of Bremen, but since the voyage had terminated elsewhere, the King trusts it will be as successful. If the Marquis will lead the soldiers by the River Oder towards Silesia, he will meet the four thousand foot and upwards of one thousand horse, who are under the command of General Leslie, and have received orders to fight under the Marquis. Orders have been given as to corn. Should the Marquis desire to come to the King he will be well received. Werben of Oldmark, 3 August 1631.

33. From the same, notifying the Marquis of an intended movement of the enemy, and desiring him to hasten as far as possible the progress of his troops. At Old Brandeburg, 20 August 1631.

34. From the same, despatching James Spens, Baron Orholm, &c. to act as the King's agent with Hamilton's army. The town of Misnia Gemberg, 3 September 1631. [The letter is addressed to Hamilton as "Exercitus nostri in Nova Marchia et Silesia Generali."]

35. From the same, addressed to the Marquis as General of the forces on the Oder, professing that it was the King's care since Hamilton's army landed, that it should be transported to where it might rest after the journey, and its bravery made plain not only to the enemy but to all Germany. As the Elector of Saxony is to lead his force into Silesia against the enemy there, the King has resolved to call Hamilton to join himself in middle Germany. He therefore has sent General John Baner who by his force at Havel may guard the Elbe, and who will explain the King's will more fully, &c. From the castle of Aterr [Artern ?], 20 September 1631.

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36. Letter of the same date, from General Leslie, informing the Marquis that there is a deficiency of warlike material at Crossen and Frankfort. Leslie has written to the Prince Elector of Brandenburg, that the soldiers may be entertained there, &c. From Frankfort, 20 September 1631. Letter in French, signed "A. Lesle."

37. Gustavus Adolphus to the Marquis of Hamilton. The King has sufficiently learned the state of the Anglo-Scottish army from Hamilton's own letters and those of Spens and Leslie. That so many soldiers should be sick, so many dead, and the army reduced one-third in so short a time, he bears all the more hardly that he had been assured of its strength and bravery, and was anxious it should make these clear to that nation. As under God, his victorious arms had opened the way to many places in Germany fitted to nourish even large armies, and as the Elector of Saxony had undertaken the defence of Brandenburg, the King desires Hamilton on receipt to move the remaining English force, and to follow the King, the way being safe from the enemy. He had written to General Baner about the invalids, &c. At "Erfordiæ" (Erfurt?), 24 September 1631.

38. The same to the same. Rejoicing to learn from the Marquis by letter dated Custrin, 13 October, of the progress of his fortunate expedition, the rout of the enemy at Crosen, and the occupation of Guben. The King can easily understand that Hamilton's army is enfeebled, but he promises himself so much from them and their valour, that he has ordered their forward march, not doubting the Marquis will hasten them. General Baner will endeavour to remove any cause of delay. Wurzburg in Franconia, 30 October 1631.

39. Gustavus Adolphus to the Marquis of Hamilton. A formal letter, appointing and accepting the Marquis as a third party or umpire in the negotiations and treaty to be entered into between King Charles I., acting through Sir Henry Vane his ambassador, and Gustavus Horn, for the Swedish King. At Herbipoli, 9th November 1631.

40. Draft (apparently a translation) of proposed "Conditions of Confederation between the Kings and Crownes of Sweden and Great Brittayne, to be agreed upon." The conditions are ten in number. The first clause is general, and the second and third arrange for mutual accommodation as to men, ships, prizes, &c. between the two kingdoms. The fourth clause is the principal one, referring to Bohemia as the original cause of confederation, and providing that every effort be made to restore the King of Bohemia to the Palatinate. (5.) He is also to be established in the Electoral dignity. (6.) To this end, the King of Great Britain is to pay monthly for two regiments of horse, each 1,500 strong, and eight foot regiments. (7.) The absolute direction of war and peace shall be in the hands of the Swedish King, with a certain control from Britain. (8.) Britain is to oppose invasion of Sweden by sea. (9.) The subsidy shall end with the war. (10.) The confederation to last years.

41. Another letter from Gustavus refers to the same subject, but is merely complimentary to the Marquis. Dated 28 November 1631, apparently from Mentz.

42. Of the same date, the King writes that General Leslie must take command of the force of Camp Marshal Achatius Totten, during the latter's illness. Dated from the Camp at Mentz [Moguntinensi], 28 November 1631.

43. Copy of a letter from General John Baner, regretting that his former letter had been misunderstood by the Marquis, but still pressing his advice that Hamilton, with his diminished troops, should retire from the siege of Magdeburg to Halberstadt. He grounds this advice on orders received by himself from Gustavus, and desires to know if Hamilton has received others. He has done his best to obtain money for the troops, but had received none. He can only suggest relief from Halberstadt. Leipzig, 16 December 1631.

44. Draft letter in Lord Hamilton's handwriting, apparently in reply to the above. "When I receued your excellency's letter I could not heauie imagened to a found that in itt which I did, the being disapoynted of my munnis I smally walow (tho I heauie yuse for itt) bot your propositioun of the retiring of my trups in respeckt of the could is so preiuditiall to me, both in regard of his Majesties strik commands (which was to dou my best for the attackting of Madeburg) and my oune reputatioun as I had rader lous my lyf as faill in the performans of the woon, or in the leaist degri hasard the lousing of the other, and beliue me, so long as ther is wone man before this toun (unless the King Majestie countermanding) I ame fully resolued not to budge from itt, being both myself, offisars and remnant soiours most willing and I hoope as abill to indoure whatsoeuer extremati of could or whatt eals may befall, for the aduansment of his Majesties saruis, as ani who ar aliue. Oure wants I ame confident will not be greatt, the countri being weill abill to supply them which I dout not bot your excellency's kayre will seea performed; this I thoght fitt to acquent your excellency withall committing you to the protectioun of God beiing and willing to remain your exallens freind and saruantt." Not signed or dated.

45. Draft (or Translation) of letter, not addressed or signed, but evidently from the Marquis of Hamilton to Count Wolfgang of Mansfeld, then commanding in Magdeburg—an extremely courteous letter—intimating that he had orders from the King of Sweden to besiege Magdeburg and reduce it, which orders he is bound to obey, yet he is desirous consistently with honour to deal with his opponent "after a mild waye and with such discretion as is fit to be used amongst Cavalliers." He then states that by an intercepted letter from one of the principal persons about the Count, "whose name to specifye wee are sparing as not intending to occasione any inconvenience to any Cavallier that serveth agaynst us," he has become acquainted with the state of the garrison. He in all love and amity suggests that it would be more profitable for the Count and his soldiers to treat of surrender, ere matters reach an extremity. He warns the Count that later, "conditiones would & must be harsh and unpleasing." He recapitulates the state of Germany and shows how little relief may be expected. Concluding by again expressing kindly feeling. Dated at the Camp before Magdeburg.

46. Translation of Count Mansfeld's reply. That he had received Lord Hamilton's letter by a trumpeter on Christmas day, the holydays and the importance of the subject causing delay in answer. He gives a summary of the letter to him, and denies the statements in the intercepted letter, and declares that relief is not so remote as alleged. He would not however incur a charge of rashness or stubbornness, and would not be averse to treat, if assured (1) that the conditions should be honourable, (2) that they would be performed, (3) that time might be allowed for a message to Tilly to know if he would rescue the place,

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(4) he desires that the prisoners in Hamilton's hands might be liberated, either on exchange, or for a month's pay. He promises a corresponding delivery of prisoners in his own hands. He requires an answer to these conditions. Magdeburg, 28 December 1631.

47. Letter from "John Hamilton" to the Marquis of Hamilton, informing him that requisition had been made to the Prince of Anhalt for maintaining the troops in Halberstadt, but Baner's forces were already there and the King forbade their dislodgement. He refers to the difficulty of obtaining money at the dorps and Halberstadt, but that the officers will do their utmost to keep the soldiers together. The companies however were weakened so much that the officers were obliged to let the burghers keep their own ports and walls. He looks to the Marquis for an order to receive money to pay the troops. Halberstat, 18 March 1632. Signed "Jo Hamiltone."

Series of draft letters, most of them undated, from the Marquis of Hamilton, during his campaign in Germany, apparently to King Charles the First. [The letters from that King to the Marquis during the same period have not been found, but they are printed in Bishop Burnet's Memoirs of the first and second Dukes of Hamilton. The letters are very brief.]

48. The following seems to be the first of the series:—"I found the King [of Sweden] on the other syde of the Ealue [Elbe] att Werbin strongly intrinched. Tilly was within foure leages of him who had intelligens of my landing and he heiring that I was cum, thoght my men was cam with me to the campe, and dubbill the nomber that they wer. This with the king sending for his Felt Marchall and the rest of his armi, med him geaiue presant order for his baggage to march and the nixt day therafter his wholl armie, bot whidder, itt is unsertan, bot most think bake to Madeburg for till he be ther the countrie is so wasted thatt itt is imposabill for him to gett prouisions. The king doueth follow him and is resolued to giue him battell for nou he is much stronger; his armi consistes of 18 thousan futt and neir 7 thousan hors. Tilly numbers much les both of hors and futt. The king heath appoynted me to gooe wpe the Ooder and so into Silesia and by the tyme that I cum to Frankfurd he will heaiu eather ther or farder wpe his forsis to ioyne with myne and so togidder I hoope in God we shall go fordwert. I heaiu rasoun to make haist to gett thidder, for till I be past that and ten dayes march farder ther is nothing bot ane extremati of plage and faming beyoind imaginatioun." [This letter was probably written about August 1631. Cf. No. 37 *supra*.]

49. In the next letter, Hamilton refers to the battle of Leipzig, in which Tilly was defeated, and adds "I heaiue not hard frome the king sins the battell bot tou dayes befor I reseuitt ane strik command not to aduans into Selesia bot to lay befor Castrin to secure his retreatt in kaise he wer betin, and in the meine tyme to secure the passis of Crossen, Frankfurd, Lansberg and sundrie other plaissis upone the Oder frome the armie of Selesia which is abeufe 14 thousand futt and 6000 hors. This is ane greatt sircill which he heath giuen me charge of and I must dou itt with my oune men (who sikkins and dayes apais by rasoun of the extrem infectioun thatt is in all thir partes) for as yeitt I heaiue sein non of his Majesty's bot 300 futt and 200 hors, and which is woors Crossen besiged by the tyme that I came heir, yett I dou not dout bot to defend the place if I cane put in men and ammunitioun for the douing of which I heau sent Lesly with 500 men;

whatt euent itt heaith takin I dou not yeitt knoe. I heaiue acquented the king with this and I expeck eueri day forsis from his armie for itt is sertan he will straue all thatt he cane to beaitt this armi lykwys, thatt being doune he may gooe withoutt ani oppositioun where he pleaisis. Nou is the tyme, I ame most confident, for your Majesti to obtein your desyre for when I wrytt last to your Majesti I did not imagin that souner nor the spring ther could ani good heaiue bein doune, neather durst I presume to aske assistans frome your Majesti, nor will I yeitt for I knoe if ye fynd itt fitt, itt will be doune wnrequyred yeitt I beshich you giue me leiaue to say (and I will pane [pawn ?] my lyfe itt will be performed) thatt if your Majesti dou really ioyne with the king of Sued, that the empriour shall be forsed to take whatt conditiouns" [Here the letter ends abruptly, part being torn away].

50. "Sir, in my last to your Majesti I shew you that Crossen was beshided and that I had sent men to the releif of the toune, wher they no souner arayued bot the eanimi retired (tho they wer resolued to fall on that morning) and left 5 greatt Cabbars (?) behind them loden with amunetioun (bot garded with ane warkgard) which we tucke. Within sume feu dayes ther-after intelligens was broght me (I beiing at Frankfurd) that Guben a toun in Selesia, wher ther lay 2500 men of the eanimeis that 2000 of them was retired and only 500 left who keiped bot bad gard wher upone I presantly sent Lesly with 600, bot my intelligens prouued bad for they keiped good wach and had barred wp tou ports, the 3 had 2 draw briggis and was shut. My men loged in the subburbs wher they could not be sein by thoes in the toun and expeckted the tyme of the doun letting of the brige which they did at sun raysing which Lesly beiing aduertised of geaiue presant order to charge with sume feu hors, think[ing] so to gett in to the toun and they to make the port good till the fut shuld come wp bot befor they could gett thidder thoes in the toun had shutt the port, bot my hors bett them from the brigh. The futt came presantly wp and after half ane ours disputing of the place beyond expecttatioun cutt with hacchets ane hole in the port wher sume feu men went in and opended for the rest; which doun all thoes in the toune fled eather in to housis or in to priuatt strites wher numbers of them was killed and 250 takin prisoners; 4 captans sunderi loutennand and under offisars, 2 captans of the king reliued. All the shogers heath takin saruis under me. This I dar be bould to say, if I had bein so happie as [to have] bot the half of thoes forsis which I expeckted from the king, (bot they heaiue ben slo of marching for I heaue sein non of them saif 200 hors and 400 fut) without greatt lose I woold heaue cut of 2500 men and taking 22 peise of ordinans. Tou dayes ther-after I was to goo try if I could lykwys heaiu surprysed Glogo (Glogau) the second toun of Selesia bot that same night I reseuitt order frome the king to march efter him, the coppy of which letter I heaiu sent you, which I will intreatt ye will sho my most gratious master, shoing me that the Elector of Saxonye had takin wpone him the defens of the wholl dominion of Brandeburg, and chiefly this is the cauis that I heaue not aduansed farder in Selesia yeitt if thoes forsis of his had bein cum to me I woold heaue uentered a chyding and wintered in Selesia." [This letter, though begun as if to King Charles the First, was sent to Lord Carlisle with a copy of the Swedish King's letter of 20 September 1631, No. 35 *supra*.]

51. Another letter, to King Charles, refers to the preceding, and relates the same facts more briefly. The Marquis concludes in reference

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to the order of Gustavus, "I must obay his commands for with the letter, order came that the countri shuld intertein me no longer, and the few hoors I had shuld gooe for the Ealbe [to] the king. Itt will coost me six weiks march and I feeir the remnant of my mens layues who (tho I say itt) heaith doun him the better saruis (albeued we heau foght lytell) then trys as mani men euer did."

52. To King Charles the First, written after the arrival of Sir Harry Vane in Germany, as ambassador to the Swedish King. Lord Hamilton refers to an interview with Sir Harry, receipt of letters, &c., and adds: "I shall not neid to trubbill your Majesti with the relatioun of this Kings estatt at this tym, itt being so weill knoen to the imbassador. Whatt myn is may in feu woords be expresed, for thatt day [on] which I marched from Custrin I was forsed to leauie abouf 1000 men that I had thoght could heauie gooe abought most of which had the plag wpon them and neir 1000 befor was put in quarters. I heaui not manie abouf 1500 fre and yeitt with them and sum Duch futt and 1000 Suaids hors, I heau blokked Madeburg in the which ther is neir as mani men. I dar not think of suces yeitt I hope to remain ther till I heir your Majestis fadder resolutioun.

53. Another letter, about the same date, and repeating the same items of news, but adding some particulars. Thus, after stating that the affairs of Gustavus and his demands, would be known through the Ambassador, the Marquis writes, "ther schars passis one weik thatt affaires doueth not qwytt schans, yett tho' I must confes he [Gustavus] still prospers I ame of the opinioun thatt he is nou in as great danger (if not mor) as he was in befor the battell of Lyps[ig]; a peais he confidently affirmes is offered and sueires to me he will embras itt bot I can not beliue itt unles your Majesti giue him assistans which if ye think fitt to dou itt must be royall greatt and tymusly and shuch a woon as must subsist of itts self for tho he shuld wndertak to furnis both Duch hoors and futt (which he must haiue) I feir he woold scars performe bot straue to make the same yuse of thoes men ye send thatt he heaith den of myne which woold turne to ther yuter reuing and preiudiciall to your Majestis honour. Itt is thoght heir by eueri wone of iudgment thatt wpone youre Majesti's resolutioun depends the wholl estatt of Germani, nou in thatt disorder as in the lyk cayse itt heaith neuer beine. If your Majesti fyind itt fitt really to ioyn it is imposabill to wrytt att this tyme whatt will be fitt for your Majesti to dou in mani particulars bot by my nixtt I shall shou your Majesti [what] will be best and most conueniant." The writer is now about to return to his troops before Magdeburg. He repeats his statement about their number, and adds, "I heauv order, if I fyind itt [the blockade of Magdeburg] not fasabill, to retyre my men to Halberstätt and ther to winter . . . . I will not trubbill your Majesti with the wants thatt my offisars will be in this winter for I heaiu not reseuitt wone penni as yeitt frome the king, nather am I in much hoope, the tyme beiing past thatt wndertuk to intertain them, yett I will dou my best for I ame confident itt will proue for your Majesti saruis."

54. Another letter to King Charles First, written while before Magdeburg, about the beginning of January 1632. "Sir I heauie wrytt to your Majesti diuers tyme frome this place, bot I heir most of them ar intersepted. They contened att lenth the excessif ambisioun and intollerabill pryd of the King of Sueden. I was lykwys bould to sho my opinioun whatt was fittest for your Majesti to dou in thir affaires which is not nesesair to trubbill you with nou in regard I ame confidentt that long before this cume to your hands your Majesti will

be fully resoluid. The extrem miseries of this pour armi was lykuys shone and hou my men and self heath bein yused. The toun of Madeburg was cum to ane capitolatioun and within feu dayes woold heau randered, bot the second day of our conferens they had intelligens thatt Pappingham was cuming with ane armi to their relif wher wpone the treti brock of. Our forsis beiing mighttily delayed and devyded in seuerall doorps, [villages] mad us lay unsecure if he shuld heaiu cum on with his armi and they att the same tyme salleid out of the town. This heath med ws coleck all our forsis to one bodie att Sallsa 2 myls from the toun wher I expeck the cuming of the Duck of Wemar Sax with 5000 men. Wpon his ariuall we ar resolued to giu him battell the good succes of which is of mighty consequans to the King of Sueden. The eanimies armi will be 10000 fut and 2000 hors; ours neir that strenth. They lay within 4 or 5 myls to the toun and as yeitt heath got in no secours I ame confident thatt within 8 or 10 dayes this busines will be desyded if the extrem timerusnes of G. B. [General Baner] hindered itt not who tuys or 3 allredi heaith takin the alarme tou hott." He concludes by stating that it is more than a month since he heard from the King of Sweden, the way between them being very unsafe.

55. A week or two later, Hamilton writes "Sins my last frome Saltes the eanime heaith quitt Madeburg more nor strangly for God knoes we had no intentioun to feght and far les to trubbill the toun yeitt whatt they imagened I kno not, bot they heau left itt, and all gone in the greattest disorder thatt ever men did; we on the other part retiring in the same fasshoun, beiing hartily weri of Banneirs kairfulnes. I heaiue left him and will not trubbill your Majesti att this tyme with thatt which I heaiu suffered. My offisars and remnant soiours ar in the winter quarter wher they ar bot badly intertened. I beiing forsed to rekkin with them, and oblige myself to see them payed for the tym they heaiue serued which is dubill thatt I was prouyded for, yeitt the sum is not much, bot more as I do expeck from the king of Sweden."

56. To King Charles the First, acknowledging receipt at Halberstadt of the King's letter of 31 December [1631] (printed in Bishop Burnet's Memoirs, page 21), and rejoicing at his Majesty's continued favour. The Marquis proceeds to justify himself from certain attacks on his reputation in regard to his relations with his officers, their pay, &c. He concludes by a reference to overtures for his levying a new army, a subject which is repeated in a short letter, perhaps about the same date and from the same place. Mentz, 19 February 1632.

57. A letter from Hamilton to King Charles, answered by that King on 30 April 1632 [Burnet, p. 22]. "May it pleais your Majestie. Eueri day sins my last by Sir Jacob Ashly I heauie beine expeckting a resolutioun frome the Chanseler, to whome I was referred, for my dispach which att last in sum mesurar I heaiue obtened tho not much to my content. As for munis to giue my offisars satisfaction he plainly tels me his master beiing now gone to the feillds heaith left lyttill or non heir behind him, neather doueth he belieue bot thatt I heaiue mor nor suffisiant of my oune to dou itt with, in regard itt was declared to him by your Majestties imbassador and yused as ane argument of your Majesties louf and affectioun touerds his master and the cause thatt wolanterly ye had giuen me aboufe ane 100 thousand [pounds] to performe this jurnay. This heaith bein so far frome beiing contradicted by me as I heaiu acknowledged [its] treuth, which I had off before wryttin to his master, that your Majesties assistans was fare

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greatter then I had order to reweill and sins your Majesti had giuen command to your imbassador to mak itt knoen thatt itt was treu ; and thatt your assistans and fauor was iustly to be waloued by me fare aboufe thatt sume (which by my part of heaiuen I doe more then all the munnie in the earth) yeitt I hoped he woold consider thatt the raiseing, transporteing, arming and the intertening of abouf 6000 men nou neir 9 munth, with at leist 30 peis of ordinans, with all nesisaires belonging to them, with a suffisiantt train thatt much of thatt munnie could not be resting which he granted, and said his master had giuen him command to assur me thatt itt did much trubbill him he could not giue me sattifaction att this tyme bot I might confidently expect itt (which I confes I dou not) if this or ani thing eals thatt I can dou may aduans your Majesties ends I heaiue my wish. I lykwys desired thatt thir offisars which I heaiu heir might heaiue meins to recreu ther men, to give them so much munnis as woold dou itt out of Ingland. He had itt not, neather was ther quarters to be found for so mani heir. I pressed this in regard of your Majesties desyre of heaiuing sum of your oune subiecks heir. Att last he heaith condesended thatt the 4 regiments shall be reformen in tou and that eaich of them shall consist of 12 companies, and giue quarteris for ther stuenning with Duchis. I fyind still if I imbras the conditions of heaiving ane armi thatt itt must be wpon the Waser, for I clerly sea thatt the king will not trust me in the Pallatinatt, or att leist not till he seeais whatt conclusioun the treatti takes betuix your Majesti and him, so I ame resolued not to pres thatt poynt farder att this tyme bot will dispach my offisars and giue them content so far as I cane and I most humbly intreatt thatt if your Majesti heaiue occasion to yuse men of ther professioun that ye will be pleased to remember them. Therefter I will gooe to the armi wher I shall attend with all deu deuotioun your Majesties commands," &c.

58. Memorandum, without date, in the handwriting of the Marquis of Hamilton, evidently giving an account of an interview with the King of Sweden. " His Majesti did first congratulatt my recoueri in a most harti and kynd fasshoun, therefter inquyred of me whatt itt was I had to say, seing my lord Spens had tould his Chanseler thatt I desyred to heaiue a resolutioun in sum things which he did not make plain anuf to him. My answer was thatt I did humbly intreatt his Majesti that he woold be pleaised to lett me knoe, if he intended to imploy me, for to continou in the forme I was in I found itt trubbillsum to his Majesti and exsessif chargabill to my self. He tould me ther was nothing he desyred more nor was ther ani man leuing in whome he reposed more trust bot the way which he did intend to mak yuse of me was froustratt, by the desolutione of the treatti betwix the king of Ingland and him bot if I woold yett stay and sarue him he was most willing to assaing me sum countri wher I might rais ane new arme. I replyed thatt his Majesti had manie generals thatt was much more abill and fittinger to be imployed thatt way then I was, both in regard of ther knoulege of the countrie languag and maner of thatt fasshoun of leueis. He tould me language and knolege of the fasshoun of leuiing without munnis upone contributioune could be supplyed by manie of my countrie men which ueill understud both. I replyed that I conseued the best saruis thatt I could dou him was with his Majesti of Britane subiecks yeitt sins itt was his pleisour I was willing to undertak thatt charge, so his Majesti woold nominatt the part for my leuis and lett me seea the way how to performe thatt which he desyred. He tould me thatt for the presan he could nominatt no place bot so soun as he saw whatt sucses his affairs had with Walsteid then he woold, and in the mein tyme he hoped I

woold heaiue patiens. I intreatted him thatt he woll be pleaised to remember I was fare frome my countrie and thatt itt was neir 15 munth sins I came from itt and his Majesti weill knew both whatt I had laid outt and lykwys whatt I had reseued; thatt his Majesti might iudge by my cariage sins I came to his saruis; thatt if I could longer heaiu delayed I wold not heaiue chosen so unsasonabill a tyme as this was to heau pressed for his resolutioun. Wpon the which he gaue me mani thanks, bot in the continouing of his discours fel in to a most bitter rage against the imbassador, expressed with shuch a passioun as I heaiue not sein the lyk, and compleaned lykuys of the couldnes of the King of Ingland to his broders cause. I declyned the discours as much as I could, yeitt he continoued in itt abouf ane quarter of ane oure."

59. To King Charles the First. The first portion of this letter is in cypher, and seems to refer to an important interview between the King of Sweden and the English Ambassador. Hamilton then writes as to his own affairs, "I most humblely beg of your Majesti, if ye heaiue not allredie, thatt ye will be gratiously pleised to lett me knoe your command and plisour conserning my farder imployment under this king; which if itt may in the leaist degrie aduanse your saruis I shall undertak with a most chirfull hart tho' all the misfortouns in the wordill should follou me with itt, other uays I must confes I ame not uerie ambisious of farder imployment heir yeitt I must euer say this thatt in the wordill liues not so knoing a commander nather is ther shuch ane armie to be found to put in executioun his heay and braue undertakins and without all dout if he woold hoould firem and reall frindship with thoes who was oons his (but thatt is feired) and indeuore a-right to obtein thoes whome he might heaiue his trew freinds, not only the Pallatinatt woold be quikly restored bot all Germani under his obaysans. I woold say sumuhatt of the King of Boyem bott I knoe nott whatt more then thatt he liues heir as ane priuatt wolantir. He is contented with this way of lyf bot I knoe not another thatt is much in loufe with itt or ambitious long to karie thatt name. For my oune part I feir my accommodatioun will be so euill during the tyme thatt I ame of thatt number as I shall be constraned to remain in sume toune till I be meaid happi by your Majesties commands, the treu performens of uhich shall euer be the chiffer kair of him who is borene and obliged in the heayest degrie to dey Your Majesties most humbill thankfull obediantt saruantt and loyall subieck, Hamilton."

Auxburg May. [1632].

60. Copy, in Latin, of Articles to be concluded and ratified between the Kings of Great Britain and Sweden. These are slightly different in form, though similar in tenor to the Conditions of Confederation already noted [No. 40 *supra*]. One variation is to the effect that Great Britain shall pay 40,000 thalers a month, evidently in lieu of troops. Another clause provides that the religion in the whole Palatinate shall remain what it was before the war, nor shall it be altered in anything. No date.

61. Commission by Gustavus Adolphus, King of Sweden, to James Marquis of Hamilton, to levy a new army of ten or twelve thousand men. In usual form. Dated at Fürth, 8 September 1632.

62. Letter from General Sir Alexander Leslie, announcing to the Marquis of Hamilton the death (at the battle of Lutzen) of the King of Sweden.

"My most noble and honourable good lord. I have thought it expedient to mak to your excellencie this sad nar[ra]tioun of the lament-

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able death of our most valarouse and worthie chiftaine who in the sixt of November did end the constant course of all his glorious victories with his happie lyffe so :—His Majestie went to farre on with a regiment of Smolandis horsemen who did not second him so well as they should, at the which instant ther came so thick and darke a mist, that his own folkis did lose him, and he being seperate from his owin amongst his foes, his left arme was shote in two, after the which being shote againe through the backe fainting he fell upon the ground, one the which whill he was lying one asking him whate he was he answeared King of Sweddin, wherupon his enemies that did compasse him thought to haue caried him away, but in the meane while his owin folkes comeing on striueing in great furie to vindicate his Majestie out of ther handis, when they saw that they most quite him againe, he that before asked what he was, shote him thorough the heade, and so did put ane end to his dayes, the fame of whose valoure and loue to the good cause sal nevir end. When his corpes were imbalmed ther was found in them fyue shottes and nyne woundis. So ar we to our wnspeakable greife deprived of the best and most valorouse commander that evir any souldiours hade and the church of God with hir good cause, of the best instrument vnder God . . . . I pray the Almightie that it would please his supreame majestie now to stirre the King of Boheme and to make choyce of him in this worke which indead is brought vnto a great measoure of perfectioun, neither doe I think that ther salbe any defect in these his valorous souldiours and followers, in whome ther is not the least suspicioun of jelousie, bot this al men knowis that a bodie can not long subsist without a head which giues such lyffe and influence, ather good or bade, as it hes radically in it selfe when it is present, and when it is cutt away cutts away with it selffe all lyffe and influence. As yit this bodie hes done well, for indeid the victorie was ours, and Papinhame is killed, Wallenstoune wounded, Corronel Commargen killed, with many other greatt officers which yit I cannot particularly nominate. The enemie left the towne of Leipsich and Duke Ewiene of Lunemberie hes beseiged very hardly the castle, and I think be now it is taken in. Duke Bernard of Veimers hes persewed Wallenstone with the relictis of the Emperours armies, and hes so compassed them about that I think also by now they are ended. Now it remaines that we turn our sorrow to revenge . . . I intreat your Excellency to haue me in your remembrance as one who sall evir be readdie and willing to serve your Excellency to the verie outtermost of my power. Of which assureing my selfe and wishing your Excellency all health and happines, I rest your Excellency's faithful servant till death. A. Lesle. Stade the 26 November 1632." [The signature alone is in Leslie's handwriting.]

63. There are in the Hamilton Charter Chest a number of letters to the Marquis from the King and Queen of Bohemia and their son Charles. None of these, however, possess sufficient historical interest to be noted at length, being of a purely friendly and complimentary character. King Frederick addresses the Marquis as "Monsieur mon cousin," and subscribes himself as "Vostre tres affectione cousin Frideric." The only letter in this series worthy of more than a passing notice, is the following from Prince Charles :—"My Lord and Cousin. I am sorrie to begin my acquaintance with you upon so heavie an occasion as the death of the King, my deare Father ; in the want of whome I have not onely lost the bringer-up of my youth and provider for my estate, but the meanes of showing my obedience and thanckfulnes for both. I will labour to discharge that dutie in the perpetuall honoring of his memorie and of such as were his frends ; among whome I under-

stand you were one that intyrely loved him, and was alsoo partaker of his love. I beseech you let the same descend to his unfortunate heire who will never depart from his example by remaining Your most affectionate freind and cousin Charles. Hag. this 4 of January 1633."

64. Series of letters to the Marquis of Hamilton from the Privy Council of Christina, Queen of Sweden, daughter and successor of King Gustavus Adolphus, with other Swedish noblemen, from 1634 to 1637. Of the contents of these, brief indications may be given.

(1.) Copy letter, dated Stockholm 26 October 1634, expressing pleasure that the Marquis had abated none of his affection for the evangelical cause in Germany, &c., and recommending Mr. Eleazar Borthwick, as a forerunner of a solemn embassy to England.

(2.) Letter from the Privy Council of Queen Christina, recommending Sir John Skytte, Governor of Livonia, Baron Duderhoff, &c., to the Marquis as ambassador from Sweden to England. Stockholm 29 October 1634. [There is also a letter of recommendation to the Marchioness of Hamilton, mother of the Marquis.]

(3.) Letter from Axelius Oxenstierna (the Swedish Chancellor then in Germany) expressing friendship, and recommending Sir Michael Blom as agent in Britain. Mentz, 12 November 1634.

(4.) From the Swedish Council, referring to the Swedish Ambassador's high opinion of the Marquis, and expressing a hope that he will further the friendship between England and Sweden. In answer to a petition by the Marquis for Sir William Spens, the Council express great regard for the widow and children, and state that though Spens's barony of Orholm cannot be alienated, it may be mortgaged on behalf of the creditors. Stockholm, 9th July 1635.

(5.) From Gabriel Oxenstierna, Chief Steward (Archidapifer) of Queen Christina, chiefly to inform the Marquis that the Swedish field-marshall Count de La Gardie had arrived at Pillow with fifty ships of war and an army of 20,000, whom he had so disposed as to be ready for any event. But as the sixth year truce (induciæ illæ sexennales) is prolonged for three weeks, the writer hopes that by the intervention of so many ambassadors, the causes of the said war may be removed and further effusion of Christian blood may cease. Stockholm 17 July 1635.

(6.) From the Swedish Council, transmitting to the Marquis as a mark of regard six brass cannons (tormenta). Stockholm 31 July 1635.

(7.) A friendly letter from Sir John Skytte, also referring to the cannon, which the bearer of his letter will deliver. Stockholm 20 August 1635.

(8.) From Gabriel Oxenstierna, Chief Steward, informing the Marquis that the Swedish Queen, satisfied of the zeal of Sir Alexander Forbes, had enjoined the writer's brother, Sir Axelius Oxenstierna, Chancellor of Sweden, and Swedish Ambassador in Germany, that if need were he should give Forbes power to levy one or more regiments in Scotland for the cause. Forbes had also received letters begging leave for the conscription from the King of Great Britain, whose nephews were interested, and the aid of the Marquis is hoped for in the matter. Stockholm 28 March 1636. [There are also three letters on this subject, levying troops in Scotland, written by Axelius Oxenstierna, but merely complimentary to the Marquis. Two are dated from Wismar, 2 April 1636, and one from Stralsund, 24 April same year.]

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(9.) Letter from Mr. Eleazar Borthwick, announcing to the Marquis that he had arrived safely at Gottenburg and would set out next day to Stockholm. He states that the Chancellor was to remain in Sweden that month at least. "Ther is heire a levey of the bravest men that hes gone from Swadin these manie yearrs. Col. Hew Hamiltone is married vpone my Lord Spens widdow this week. I hope the master of Forbese with the rest of the officerres which wer heire will acquent your honour with quhat is passed bettwix the Rex Chancelour and them," &c. Dated from Gottenburg 3 April 1637.

(10.) Letter from Maria Eleanora, Queen Dowager of Sweden, to the Marquis, "Illustrissime Princeps, Consanguinee noster carissime, venit ad aulam nostram ex regno Magnæ Britanniæ vir spectabilis Eleazarus Bortwick et oblatis iuxta audientiam fidei literis, prolixe nobis Dilectionis Vestræ amicitiam studia et officia detulit præsentato quoque nobis nomine Dilectionis Vestræ gradario equo, qui nobis longe fuit acceptissimus, eius in nos singularis affectus expressum exhibuit testimonium: non possumus autem non facere, quin hac responsione Dilectioni Vestræ testaremur, quantum ipsi vicissim debeamus." The Queen concludes with further expressions of regard. The letter is dated at the Palace of Gryphsholm, 1 May 1637. Signed in the Queen's own hand, "Væ Dilis Consanguinea Maria Eleonora manu propria."

(11.) Axelius Oxenstierna to Hamilton, intimating that the Queen of Sweden had appointed Lieutenant-General Patrick Ruthven [afterwards Earl of Forth] to act for her with the King of Britain. Stockholm $\frac{2}{12}$ July 1637.

(12.) Long letter to the Marquis from "Petrus Rosenskold Præses Gothoburgensis," expressing gratitude for his reception at the English Court, where he had received a title of nobility, and stating that in testimony of his gratitude he had named an infant, born after his return to Sweden, after King Charles the First, &c. Gothoburg, 25 July 1637.

(13.) From Axelius Oxenstierna, accrediting Sir Michael le Blon to the British Court. Stockholm, 30 September 1637.

65. Letters to the Marquis of Hamilton from various officers who served in the Thirty Years' War. Dates 1633 to 1638. The earliest of these of any importance is a letter, in French, from General (?) G. J. Peblis. He refers the Marquis to M. Curtius for a relation of the state of Germany. He had hoped to send more news, but the movements of the enemy had so blocked the way, that he had been compelled to take three weeks to make a journey, for which otherwise one week would have sufficed. The Duke of Feria coming from Italy towards the Tirol, it was thought he would not fail to go to Bavaria, there with Altringer to oppose the Swedish designs, but Altringer had gone to meet the Duke with the greater part of his forces, and they had united in the Upper Swabia near Bibrach. Since they had established themselves in Swabia and menaced the writer's party on the side of Ulm and higher, towards the Duchy of Wirtemberg and the source of the Danube, the Marechal du Camp had been compelled to raise the siege of Constance and to go to meet Duke Christian of Birckenfeldt, and Duke Bernhard will also join them when the other two have passed the Rhine. They encountered the enemy between Dutlingen, a village of Wirtemburg, on the Danube, there very small, and Engen, a village of Baron Pappenheim's. The enemy had posted himself in a very advantageous place, and showed that he would not willingly be forced to fight, which our men desired, as they were stronger in cavalry and believed that their infantry, though fewer, were better than those of the enemy, who were

largely composed of Italians, new levies. But he was so much on his guard and defended himself among the mountains, woods, and other vantage ground that he could not be forced. Some days were spent in this way, nothing passing but skirmishes, favourable now to one party, now to the other, when the enemy made demonstrations as if he wished to enter the Duchy of Wirtemberg lower down, and spread a report to that effect, which was confirmed by the prisoners. Our men believed this the more readily because they knew the enemy's lack of provisions, and that he could not readily procure them. The Marechal du Camp, however, desired to delay at Dutlingen and to observe the motions of the enemy before moving himself. A council of war decided to go to Dutlingen to protect the Duchy of Wirtemberg our magazine of provisions, hoping to draw the enemy to a general engagement, or to waste him by want, as he would be forced to march by places where there was neither food nor forage, or to descend to the plain where he could not escape a battle. But the enemy, as soon as he perceived our march, retraced his path and passed to the Waldstett, situated on the Rhine between Basse and Shafhusen, guarded by the Marquis of Baden's people, and gaining three days before our troops took the Waldstet through the folly of its guardians, who had nothing to do but burn the bridges when they would have been safe and the enemy entirely ruined for want of victuals. Having gained the bridges, the enemy crossed with his whole army into Alsasse, where there was no one but the Ringrave with his flying force, who raised the blockade of Brisach, and went to defend the towns of Colmar, Schlestat, and Benfeldt, which he did so well that with the few troops he had he hindered the enemy from going further, until the Marechal du Camp and Duke of Birckenfeldt by a long route passing through the valley of Kenzig and by the bridge of Strasburg joined him (the Ringrave). Duke Bernhardt has returned by forced marches into Bavaria to menace it in the absence of Altringer. In Alsace various skirmishes have taken place, all favourable to us; the Ringrave has twice beaten up the enemy's quarters, and killed each time two thousand, but the enemy, though the stronger in the absence of Duke Bernhardt, avoids a general battle, holding himself where protected by the rivers or mountains towards Franche Comte, and seeks to fortify himself by the Burgundians in place of those he has lost, for he has lost 6,000 men since he left Engen. And certainly the Italians would have all disbanded, but for the folly of our Swiss, who thinking to do the enemy an ill turn, did him a great service, for the common people killed all the disbanded Italians, being enraged by their pillaging and burning villages, so that the poor devils, seeing no way to return to Italy, agreed to remain in the army, despite their ill will to it, if they did not wish to be killed. From Saxony and Silesia there is bad news, but not being sure of the facts, the writer will delay them to his next. Affairs are confused where he is, which will entail a longer sojourn than he intended, &c. Written from Zurich, 30 October 1633. "De vostre excellence le tres humble et obeissant seruiteur G. J. Peblis." He desires this letter to be communicated to the Secretary of State.

66. From the same. That nothing had been done lately. Duke Bernhardt has sent his troops into garrison at Ratisbon and neighbourhood; the Marechal de Camp being in the lower Swabia about Norlingen and in the county of Otingen, to be near Bavaria. General Banier is preparing to go into Bohemia, and an endeavour will be made to carry the war into the Emperor's possessions. The death of Wallenstein is reported, but the writer is not yet assured of it. The Diet of Erfurt is delayed, and the Grand Chancellor is already on the way

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there. In Italy men are being massed to reinforce Feria, but the Italians love the German war but little. The writer is sure if they return, they will be made to fast more than they would do during Lent in Italy. The Pope is sick and his death is feared, for which I am sorry, for he is a worthy busybody, who loves the Spaniards no more than I do. Monsieur de Crecqui remains at Rome to act on behalf of the French party, if the Pope die, in short, to procure the choice of one who will be no more Spaniard than the present. The French are in the Palatinate, what good they will do to us there I know not, but I see well that the poor Palatine family has little support, and in the end it will be compelled to choose the lesser of two evils. For under the House of of Austria we will never return, if God will. The writer thinks peace impossible or disastrous to Germany, if it comes otherwise than by a victory. The writer concludes with pious wishes and an expression of trust in God and the justice of the cause. Written from Zurich the last day of 1633.

67. From the same (in French). That he has received no answer to his letters, except two from M. Curtius. After some general reflections the writer states that he is going to Frankfort to assist at the "Diete des Evangeliques," which will be held there. For the news of that part, the writer has laboured, as far as possible, to preserve peace in these provinces, and also to be sufficiently provided with all things necessary for a gallant defence, in case they cannot have a sure peace, because of the malice of their neighbours. He had visited and conferred with Marechal de Camp Horn, at Ravensbourg on their frontier, where Horn and his army were quartered, and hope to have peace assured, whether their neighbours wished for peace or war. The 13 cantons have at this time their deputies assembled at Baden; what good they will do we shall hear; the end of that Diet will show whether there will be peace or war. At Ravensbourg the writer received news that the Governor of Ingolstat, named Colonel Schwelzer [? this word is blotted] had gone with 3,000 men to convey victuals into Wiltzbourg near Weissenbourg, blockaded and pressed enough; our men advised of it assembled 800 horse and 700 foot soldiers, and since they could not arrive in time to hinder the enemy or the delivery of 100 sacks of wheat, they pursued him when retreating, and although the foot could not follow, the 800 horse did not fail to press him so close that he was compelled to fight, near Aistet. The enemy was completely routed, 500 killed, and 1,000 made prisoners, including the said Governor of Ingolstat and Colonel Haslang, with 16 captains and many other officers, and all their waggons were taken. The Ringrave also had been fortunate in Alsace, for having totally defeated the Count of Salm, Governor of Saverne, three weeks ago, he has attacked Sulz and some other places which he has taken, and although Marquis William of Baden who is on the side of the Emperor, the Duke of Loraine, and Marechal de Camp Schauenbourg assembled a force twice as strong as that of the Ringrave, yet he has attacked them near Dan, forced them to retire, taken 7 officers [cornettes], made the Count of Lichtenstein prisoner, with three Barons, and 100,000 crowns. The Duke of Loraine withdrew himself with a few men into the county of Burgundy, the other two went to Brisach and left the Ringrave master of the field. Between times, while the Ringrave beat the enemy, the Marechal de la Force on the part of France has sent his garrisons into Hagenau, Saverne, Richshouen, and Hohenbar, the last being the key of Germany towards Loraine. The writer delays his opinion till his return to Frankfort to hear what has been

said there. It is hoped that by the spring their party will be sufficiently strong for the field; the Marechal de Camp hopes to have 18,000 men, Duke Bernhardt 30,000, and the Duke of Birkenfeldt and the Ringrave, each a good number. General Banier will have a strong army, and men come to him from all sides, except what the Elector of Saxony will have. While preparing for war as much as possible peace is still spoken of, a thing which the writer deems difficult beyond measure, if it be not impossible. The writer prays that his party may not be deceived by an imaginary peace. Of this he is sure, they will never make truces, let the Elector of Saxony do what he please, but will have open war or a firm peace. He hopes to write from Frankfort, and will wait a reply. Written from Zurich, 17 February 1634.

68. Letter to the Marquis (in French) from John Hamilton of Guichery, excusing his freedom in writing by his descent from the ancient house of the Earls of Arran. He has five sons, three of whom are in Holland, the oldest being an Ensign, the second a squire of Monsieur de Bouillon and the third also a soldier. His two youngest sons, one fourteen, the other fifteen, are with him at home, and they are the subject of the letter in which he earnestly begs the Marquis to receive them as pages. His own father was a page in the family of the Duke of Chatelherault. He subscribes himself "Vostre treshumble et tres-obeissant seruiteur Jehan Hamilton de Guichery." Dated at Guichery, 15 March 1634.

69. To the Marquis, from a clergyman named John Dury, stating his labours in Germany to procure peace; that after he had ripened the matter so far that both sides condescended to see the affair publicly undertaken, on his return he had delivered to the Archbishop of Canterbury letters from most of the churches "to intreat him to favour their intentions of procuring Ecclesiastical peace, and bee a meanes towards his Majestie to move him in due tyme to bee a blessed mediator and director of so glorious a worke betwixt the Churches." In answer to the writer's expressed desire for direction, the Archbishop had promised two letters, one to the Reformed and the other to the Lutheran party, to declare his affection to the work, etc., but had given no particular directions what to do. The writer had been at great charges and desired and had received promise of preferment: "My Lord's Grace of Canterbury of his owne accord (I not sueing for it) did proffer unto me a benefice, which hee did craue from the King in my name; but when I went to Exeter to take possession of it I found that the place was not vacant, but that the incumbent therof was aliue and in good health; so I did loose my labour." He pleads his inability to do more in the business on his own charges, and begs the Marquis to influence the King in his favour. Signed "John Dury," Westminster, 29th March 1634.

70. Another letter from G. J. Peblis, written (in French) from Frankfort, excusing his delay in writing by stating that he had made various journeys since his arrival from Switzerland, that there was nothing worth writing, and an uncertainty that his letters would be delivered. The roads have not been too safe, on account of the enemy's troops, who in the Westerwaldt and on the Rhine in the bishopric of Cologne had giuen some trouble. The young Count of Wirchenstein had opposed them, and compelled them to retrace their steps. The writer refers to the victories of the Rhine-Graf, described in the previous letter [No. 66 *supra*], but adds that France had gathered the

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fruits. Leudres and Brŭntrout which by that victory ought to be in our hands, are taken by the French, besides their advancing still upon Brisach, a place which could not escape us unless the French hinder, and so important as it dominates the Rhine from Basle to Strasbourg, and God knows what France wants at Strasburg itself, if they make themselves masters of that place also. For myself I am afraid that poor Germany will be in no better state from the French than she was formerly from the insolence of the Spaniards, for the dominion of the one is as insupportable as the other; but alas! what can I do. In the past I proposed that some one should aid our young Elector that he might be armed, and show himself such as he ought to be in all reason; nothing followed. I understand there are some who think him too young; but the late King of Sweden marched at the head of an army when only 16 years old, and by that means made himself what he was; and the rule of Philip de Comines is "it is to be noted, that all those who have ever been great and have done great deeds have begun young." He who begins late will do no great thing, the life of man is short, and arms are more for youth than for later years. Duke Bernhardt of Weimar was only 16 when he began that profession; the late Prince of Orange was only 17 when his father was assassinated, and when he undertook that great war; the Prince of Orange of to-day was only 15 when he was in the battle of Flanders, and a year later he had the charge of general of cavalry. And if we wait longer, I fear we shall arrive after the feast is finished. There are also some who think if his Highness did not meddle in the affairs of Germany, he would be better justified to the Emperor: I confess if his Highness would forsake God and please men, prefer earth to heaven, change his religion, and become Papist or rather Atheist, for the one must be the other, there would be some hope on that side, that he would live a slave for some years, indifferently at his ease, should our just cause, which God forbid, succumb. The House of Austria seeks not alone the extirpation of the true religion, but also of freedom. And if our party, as I pray God with my whole heart, have the best fortune in this war, assuredly there will be very little regard for him who has not laboured, but only looked on. What does it avail to that young prince to be born of the noblest families of the world, deriving his descent on the father's side from Charles the Great, continued through kings and famous princes to himself, and deriving his maternal descent from the crown of Great Britain so splendid in the world, if while alive he must be either a slave or a do-nothing. Did it please God that by my blood I could procure for him (the elector) the honour and splendour which pertain to him, I assure your excellency I would not spare a single drop, but alas, I can give nothing but wishes and poor words, which go to the wind and are little esteemed of men; the great God will hear my prayers. I believe this discourse will be troublesome to you, but considering your excellency's kindness, the love you bear me, and the share you have had in this matter having also the honour to be near in blood to that prince, I cannot delay to open, as it were, my heart and display my griefs to a generous friend who will compassionate me. It is with me as with some who believe that their sorrows would be lightened, if only they could tell them to a faithful friend. But let us leave complaints and speak of affairs. The enemy after the assassination of Wallenstein by the Scots and Irish have found means to appease their army and to strengthen themselves, at which I marvel, as I firmly believed that after such a tragedy a great change would follow. The Duke of Bavaria being himself in the field with a strong army has re-taken Straubingen

and Cam, and I think that he will attack Ratisbon. Duke Bernhardt will go to oppose him; we will shortly see the result. The Marechal de Camp Horn has had good success in Upper Swabia; he has re-taken all that the enemy had, except Memmingen and some places on the lake of Constance. But he will be forced to join with Duke Bernhardt to oppose the Duke of Bavaria, while France will take her turn. General Banier along with the Elector of Brandebourg's troops will go to make a diversion in Silesia, and attract thither some Imperial forces, in order that Arnheim whose plans since the death of Wallenstein are doubtless changed, may be better able to meet Gallas, who commands the army which was Wallenstein's. A fair army is formed in Lower Saxony and Westphalia, which will be commanded by Duke George of Luneburg, and will unite with the Landgrave of Hesse to oppose the Spaniards, the Elector of Coloigne, and the Duke of Nibourg; and as I hope, some troops of the Estates will join them. The Ringrave is master of all in Alsace and in "la Soiendgouie," except what the French have wrested from him, and Brisach which we dispute. He will preserve what the Marechal de Camp has gained, and will clear the "Brisgouie" being in the neighbourhood, and having the passages of the Rhine free by means of the Waldstet which he has taken. The Diet here is begun . . . There is also talk of peace in which I do not at all believe, unless we are forced to it by the proceedings of France, for she would fain have us beat ourselves, but desires to take for herself the profit of our labour. If we fight, they are only spectators, after the enemy is defeated, taking those places which ought to be the reward of our labours. You see my lord, on what terms we are here, waiting for whatever good thing Ambassador Oxenstierna will bring us from England. . . . I will say nothing, but that I have not yet seen the effects of the promises of Monsieur the Grand Treasurer," etc. Written from Frankfort the last of March 1634.

71. Letter from Mr. Curtius (Agent for the Elector Palatine) to the Marquis of Hamilton, written in French. Although the Ambassadors of the Elector of Saxony may not carry agreeable news to the Assembly of Frankfort, yet the said Elector has not ceased to act in person, having accompanied his army towards Lusace where he has taken by the way seven pieces of cannon which were going to Bauzen. They write from Dresden that the town of Bauzen is in the hands of the Saxons but they do not distinctly say if it was taken by force or if the Imperialists abandoned it of their own accord. The expedition of the Elector is thought able to retard that of the Emperor towards Prague, and that the latter must detach a great part of his main army to cover the flank of Bohemia. The army of the Elector of Brandenbourg assisted by the Dukes of Pomerania and Mecklenbourg is assuredly destined for Silesia and will be commanded by Banier as Marechal de camp. It is accounted the strongest infantry which is in Germany. The corps of the Catholic League on the Weser has made a feint of wishing to penetrate to the seige of Hildesheim and to pursue the result so markedly connected with the destruction of Hoexter; but the Protestant forces taking good courage, and the levies of the Landgrave, placing themselves in the breach, cooled their resolution. The Duke of Bavaria made extraordinary preparations in the Upper Palatinate, and along the Danube, and Colonel Wahl has insulted the Nurembergers to whom he has shown himself and has levelled an entrenchment between Hirschpruk and Lauffen, having since taken the route of Altorf. The Rhingrave is still bent upon the seige of Rinfelden, having reduced Colonels Mercier and

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Schmitt to desperation by refusing quarter, as they say. In the meantime many soldiers are engaged there and the last assault which lasted two hours was fruitless to the Swedes, who have left there a good number of their men. The Count of Schaumburg goes as Ambassador extraordinary from the Emperor to the French King, etc. Signed M. Curtius. At London $\frac{15}{25}$, May 1634.

72. To the Marquis of Hamilton from "Robert Weir" (perhaps of the family of Stonebyres) giving an account of the movements of the army in Silesia. He states that they had their rendezvous before Frankfort (on the Oder) on the 8th of May, which they took in eight days, then marched to "Grossen" which they took in six days, but the "Duc of Saxon" had taken Glogau "and did not desyr our compani in the Slesia so we marched to Freystadt" then to Sagau, Griffenburg, and Fridland, which last they took. Then to "der Zijt [Zittau] quhair the enemi seing vs march by the toun being besiegit by Arnem hopin for relieff tint hart, so Arnem stormed the sam nycht and tuk it. Nixt day we brak up and marched throw the hills into Bohem and lodgit at Bohenslieb. To Aus[cha] fra thence to Littmirritz quhair Don Baltasser was lying with 8000 horss and fut; bot as son as thai saw that we war fully resolved not to sport with them thai past the watter [Elbe] and burnt the bridg not being abone 20 killed to thaim so we played on thaim with canon bot thai marched for Prag, quhair the next morning we marched for Rautnitz bot thai deffended the pass that we passed 2 myll higher to Melnick quhair we gott 3 prams and so past our infantrie and small pices in a littill Iland quhair we could waid to the vther mainland and so passed. Four regements of horss wes past, and than past our muskettiers which waidit, not being above the belt and than past our collers and the rest of our horss and lay wil the Duc of Saxon cam with his army which he past lykwayis in twa dayis and marched for Prag quhair the nixt morning about 8 of the clok we aryved at Marie de la Victorie quhair the enemi had som groves of horss standing bot thai stayed not long bot wer beattin in to a schance and trenchis that thai had maid on the end of the Whyt berg amongst the wynzeards nixt to the town wher we marched hard to them, quher we sustained som loss with ther canon both amongst our horss and fut. Ther wes once a resollutioun takin to storme thair trenchis bot it semes the Duc of Saxxon wes not willing for it wald have trubilled vs; thai wer to the number of 15000 men as thai report, Collredo and Don Baltasser. We continewed 3 dayis wher ther wes grit hunger, for ther wes nether bread nor forrage, nether is 4 myll fra Prag, for the diversiown that wes in winter hes spoylled all about Prag, that for falt of victuall we war forcit to draw back to Melneck quhair the Duc of Saxxon past the watter and we marched down the watter to Littmirritz and intrenched our self aganst Littmirritz and maid som 8 redouts quhair we could draw our battell vp behind them, quhair we haue lyne this fyue weikes. We are to brek vp schortly. I think we sal march to the enemi, God send vs gud speid." The writer concludes by referring to a report that an English army of 12000 men is to be sent to the help of the Union, and that the Marquis is to aid. He hopes for employment as no one as yet had won a sixpence. Signed "Robert Weir." Littmirritz 28 August 1634. A postscript states that "Maria de la Victoria" was frequently set on fire, but did not burn, though badly smoked—there was nothing but bare walls.

73. Another letter, also from Leitmoritz from "David Drummond," probably Sir David Drummond, who narrates in a more summary

manner, and with differences of detail, the events referred to in the previous letter. Their proceedings had been hindered by the "Curfirst" [Kurfürst] of Saxony. Sir David and Major-General Leslie had beleaguerd Landsbergh in "the Mark" [Brandenburg] on 16 March and had taken it. They then retired with their troops again to Pomerania until summoned by General Baner to meet him before Frankfort (on the Oder) where they arrived on the 14th May and the town surrendered on the 23 of the same month. They then marched into Silesia, where Sir David took Crossen, capturing 900 soldiers who went into his service, and 150 officers, to whom he gave quarter. The Saxons objecting to their further advance into Silesia, they marched into Moravia and Bohemia, as narrated in the previous letter. "Ve ly still (at Leitmoritz); the Saxons lyis abov be Koninggratz and Bonsell and hes holden vs vp vith good vordis ever since that they will joyn vith vs and advance to the enemy. In this men tym hes ther Imbassador bein treting at Pirn vith the Empreoris Imbassador qvha givis them nov not ane good vord since they hav gotin Rengsborgh and nov hes again betin som off Duck Bernard his trovpis and Gustaff Hornis. Ve ar this veik to brek vp from this to joyn vith them giv ve kan in the Overpals [Upper Palatinate]. The Saxonis vill be forst to pas from this, for they allon ar not fastant, againis the enemy qvha vith the help they hav gotin from Regensbergh [Ratisbon] vill be 10,000 Cavalre and 6,000 Infantre." The writer concludes with the usual compliments, and subscribes himself, "Your Lordship's most hoomble and obedient servant Dauid Druñond." "Litmoritz in Bohemia 11 September 1634. P.S. The 12, ve having brokin vp efter the Chansler his order. Being redy to brek vp the Duck of Brandborgh his leter kam till our Feltmerchalk Baneir that he vald lat his folk ly ther; he vret also to his avin 5 Regementis to tak no mor order from him giving owt he did it becavs he vas affreyit the enemy vald fall on his land since ve vent from that. It is ane of Arnom [Arnheim] his policeis to let him joyn with the Saxon as I suspekt they will. Your lordship vill excus my groft vreting for my study is mor to devys hov veak trovps sall beat the stronger, then in exercising to be ane good secreter."

74. Copy translation of a letter from the King of France [Louis XIII.], informing the Marquis that he had written to his brother-in-law, the King of Great Britain, by Mr. Hepburn, brother of Colonel Hepburn, to ask permission to levy in Scotland some companies to augment the Scottish regiment commanded by Colonel Hepburn, in the French service; also to beat up for recruits for said regiment, the levies being needed in haste. The writer earnestly begs the Marquis to further his desires. From St. Genevieve des Bois, 10 October 1634.

75. A letter signed "J. Setone," apparently John or Sir John Seton, one of the Scots Guard in the service of the King of France. He writes chiefly about some affair of business personal to the Marquis, but towards the close of the letter he adds, "As for neuis ve hier the Emprieurs arme is strong, and God villing his Maestes [Louis XIII.] arme vilbe abouufe four scoir thousand men this spring. I suld desyr from my hert that our leues vair grantit for completting of our Scotis regement for al they that ar heer dois viel and ar in goud account. As for our Scotis gards I vil neuir vreit any moir. Sinc their is no cair taking to restablis it I sal tak my tym and salbe most sory to be the last Scotis Lieutennant, sua I kis your hands as ane that is, your lordship's," &c. Paris, 3 November 1634.

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76. Another letter from Sir David Drummond. That of late nothing of moment had occurred to write about German affairs until now that "the Electour of Saxonie hes concluded ane peace with the Emperour by himself without advice of the other Princes confeyderatis and notwithstanding wald bind them to the observatioune of it howsomever preiudiciall." Sir David sends a copy of the treaty in the original, as he had not time to procure a translation, being on his way to Erfurt, to command there. "The enemyis ar lying strong beyond the Duringer wood [Thuringer Wald] and mey fall upone our folkis withe advantage we beeing (by this peace) denuded of the help we expected; quhairfoir we have nied to be watchfull and provident. As theis wer a wryting we had newis that the Electour had maid a two monethis trewis langer with the Emperour, quhilk I tak rather to be ane prolongatioune of the publicatioune of the peace till (by his intercessione) he have moved some neichbour princes (quha as yit thinkis hard thairof) to condiscend thairto, for the nature of ane peace admittis no trewis." Sir David promises further news if any. Written from "Hal," 24 January 1635. [This letter is in the hand of a secretary, the signature alone being Sir David's.]

77. Letter from General Sir Alexander Leslie to King Charles I. Very short, merely expressing his devotion to the King's service, and referring to the Marquis of Hamilton for an account of affairs in Germany, as narrated in the following letter to the Marquis. Written from Herford, 9th May 1636.

78. General Leslie to the Marquis of Hamilton, as to their "German proceidings," to be communicated to the King. "All our bussines goes werie weell hithertilis. Feltmarshall Banneir hes and doeth carrie himself bravelie, as I doubt not bot General Lovetennent Ruthwen will acquaint your lordship, who hes bein ane actor with him; bot for the present in respect that Feltmarshall Hatsfield is come to the Saxon with a great secourse so that Banneir is not sufficient aneuch to give them battall, Banneir hes besyt Magdeburgh with his footmen and is reteired to Tangermund attending our forces from Leifland and Finland who is thocht will arryve befoir this come to your lordships hands. In the meane time he is stryving to wearie the Saxone by marching to and fro in a waist land wher ther is nather intertainment for men nor horse and thairefter he will tak his best advantage of them. Feltmarschall Wrangle who commandit in Prussia is to have the leading of the armie ordanit for Silesia; he is at this present in Hinder Pomer attending the proceedings of Marazin, one of the Emperour's Generals. As concerning this armie in Westphalia commited to my charge, our beginings praisit be God hes beine succesfull. The first rancounter we had with our enimie wes at a castle vpon the Weser called Petershagen whiche I unpatronized and took of prisoners one Baroun Ketler, a Colonel, with the compleit officiars of a regiment and 285 souldiours within a day thrie or four efter by way of a pairtie whiche wes commanded out we defait tuo regimentis took certane rutmaisters and souldiours and aucht cornetis. Thairefter we marcht towardis Osnabrig for the releif of it whiche is now frie; then taking to consideratioune that Minden, a town vpon the Weser where the Duk of Lunenburgh had his garrisone wes a pas of great importance and behouefull to have for the good of the common cause and the better assuirance of our armie I marcht to it and by a meane acquyrit the same and hes put in a garrisone into it with the vhiche the Duk is not weell pleased. I am at this present at Herford within 2 litle myles of the enimies leager, attending the conjunctione of the

Landgrave Hessen his forces whiche I have long solisted for, and wherof now I have assuirance by ane expres whiche the Landgrave hes sent to me." When the forces join Leslie means "to try the behaviour of the enimie." He is resolved to visit "Hannav," where Sir James Ramsay is governor. He refers to another skirmish on 6 May, in which his troops were victorious, and adds "if it be that the restitutione of the Palatine can come no vther way bot by way of armes, the neirest and most convenient way for his Majesties projects towards the advancment of that interest is be Westphalia wher I sould think myself happie to attend his Majesties commandementis, and to doe his Majestie service with these people committed to my charge," &c. Signed A. Leslie. From Herford, 9 May 1636. [A letter of General Leslie, written from Stoltenou, 16 April 1636, recommends to the Marquis, Colonel Robert Monroe, who had commission from Sweden to levy troops in Scotland for the army commanded by Leslie.]

79. To the Marquis from Lieutenant-General Patrick Ruthven (afterwards Lord Forth). After compliments, &c., he writes that the preparations of the French King for war were great against the Emperor, the King of Spain, and the Duke of Lorraine; he had also sent to the Cardinal Infant a message declaring war, to which the answer was delayed. The writer had no wish to take service with the French, his regard for the late King of Sweden leading him to continue his services there. Signed P. Ruthuen. At "Deip," $\frac{14}{4}$ May 1635. A postscript refers to an encounter at Montbeliard between the Marquis de la Force and the Duke of Lorraine, in which the former had the advantage.

80. Another letter from General Leslie, giving a short account of affairs since the retreat from Torgau. The enemy followed them and lodged at Tangermund, Neustadt, and "Sweth," and when Leslie arrived at Stettin and found the war becoming defensive, he took opportunity to pass over to Stockholm to arrange the affairs of the army. The enemy had assaulted Field Marshal Wrangel's quarters at "Anclame," but had been repulsed. Marshal Baner had detached three brigades of foot to Wrangel's aid, and followed with his main body, so the enemy's attempts had been hindered, in passing over [the Oder] at Stolpe many of his men were drowned. Leslie hopes that as Duke Bernhard had crossed the Rhine, he might effect a diversion in their favour, otherwise it would be difficult to hold out against the number of the enemy. He trusts intervention will be made ere it is too late. Stockholm, 15 September 1637.

81. Letter signed "Ja. King," described as General King, written from "Bottburrigh," 12 September 1638, the chief point of which is "though the Prince Elector be not as yet very considerable in strength, his affayres are so layd that a small tyme may render him so, having not only treated but concluded with the best part of the Hessen cheifes in case the suspension of armes betwixt the King of Hungary and the Landgravine procede to a setled peace; and having likewise sum commissions abroade for new leauyes which joyned with the troopes he hath already on foote and those other of the Hessens, will make a strong body of an army." General King presses the Marquis for aid, &c.

82. Letter, in French, apparently signed "Bernhard," from the Duke of Saxe Weimar, announcing in a few words the fall of the important fortress of Brisach, taken by him. From the Camp at Brisach, $\frac{18}{28}$ December 1638.

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4. PAPERS and LETTERS of JAMES THIRD MARQUIS, afterwards FIRST DUKE OF HAMILTON, relating chiefly to the contest between King Charles I. and his subjects in Scotland, &c., 1637–1647.

83. Letter from John, first Earl of Traquair, to the Marquis of Hamilton, representing the troubles and fears of the Scottish Privy Council in regard to the service book. Edinburgh, 27 August (1637). [Printed at length in Bishop Burnet's Memoirs of the Dukes of Hamilton, pp. 31, 32. Bishop Burnet also prints a number of letters and other documents, one or two of which have not been found, but they may have been obtained from other sources than the Hamilton Charter Chest.]

84. Original Instructions to the Lord Justice Clerk (Sir John Hamilton of Orbiston) to represent matters to the King. [March 1638.] Copy signed by the lay members of Council. Printed by Burnet.

85. Another copy, signed by the Bishops of Edinburgh, Dunblane, Galloway, and Brechin, accompanied by a letter from the Earl of Roxburghe. The letter dated Dalkeith, 14 March 1638.

86. Two Proclamations, both superscribed by King Charles First, not dated, intended to allay the fears of the Scots. [One is printed by Burnet.]

87. Another Proclamation, also without date, appointing the Marquis of Hamilton to settle disorders. [Circa May 1638.]

88. Instructions to the Marquis, five in number, the first agreeing to dispense in the meantime with the service book, &c., and not to bring them in "without due approbation." Indorsed "Instructions penned by the Earle of Stirling and signed by his Majestie the 17 May" [1638].

89. Instructions as to declinators presented against the Bishops, to be received, read, but rejected.

90. Letter from John Earl of Lindsay referring to the supplications given in to the Council. 8 March [1638].

91. Letter addressed by the Earls of Rothes, Montrose, and Cassillis, to the Duke of Lennox, Marquis of Hamilton, and Earl of Morton, stating in regard to their supplications presented to the King and Council, that they could not conscientiously pass from them, &c. Edinburgh, 28 April 1638.

92. Draft answer to the above, written in general terms, setting forth his Majesty's willingness to explain what his intentions are. [c. May 1638.]

93. Draft opinion by the Bishop of St. Andrews in regard to Hamilton's employment as Commissioner and the methods to be used in his procedure. [No date. c. 1638.]

94. Memorandum by the Marquis as to the Bishops' opinions, and notes of a conference held by them with the Archbishop of Canterbury. They desired peace. The King thought they ought to live in their own dioceses. Hamilton states the Commission and journey were sore against his will. [Printed by Camden Society.]

95. Instructions given to the Marquis, as to carrying out his Commission. Whitehall, 16 May 1638. [Printed by Bishop Burnet.]

96. Copy of a paper discussing "the present question betwixt our most sacred Majestie and his subjectis in the Kingdome of Scotland," &c., in a calm manner and giving prudent advice in the crisis. No date.

97. Letter from the Marquis of Hamilton to King Charles First, advertising him of the state of affairs in Scotland, the activity and resolution of the Covenanters, and advising the despatch of his fleet and army, the occupation of Berwick and Carlisle, &c. Dalkeith, 7 June 1638. [Printed.]

98. The same to the same, informing the King that he had been invited to Edinburgh, but that no proclamation would be received. The lawyers think the covenant may be justified by law, but the Marquis will leave nothing undone (to hinder it) "thatt can be thoght, be itt eather by thretes or brybes." He now desires delay in preparations for war, as he trusts force will not be necessary. Holyrood House, 9 June 1638. [Printed.]

99. From King Charles the First to the Marquis, the King's preparations advancing. Hamilton is to try to gain time. He is not to consent to call a parliament or assembly, &c. Dated at Greenwich 11 June 1638. [Printed by Bishop Burnet.]

100. The same to the same, approving his proceedings. The King will stay his public preparations but in a silent way will continue. He bids Hamilton try to secure the Castles and gain the Session and Advocates to declare the Covenant against law, if not treasonable. Theobalds, 13 June 1638. [Printed by Bishop Burnet.]

101. Hamilton to the King. A long letter shewing that he can effect nothing with the covenanters, who demand an assembly and Parliament. Nothing but force will curb them. He has prevailed with the Marquis of Huntly, and Lords Deskford and Ogilvie with other northern barons to return home and endeavour to control the north men. Lord Seaforth is to control the Isles men who are at present reasonable, less however from affection to the King than from spleen against Lord Lorne. He desires that the Session may meet at Leith. He will publish one of the declarations. He repeats his advice about mustering an army, and suggests that the Earl of Antrim may be useful, as he is beloved by his name, and lays claim to lands in Kintyre, the Isles, &c. He recommends the building of more rowing frigates, but also that the preparations may be private. Holyrood House, 15 June 1638. [Printed.]

102. The King to Hamilton, in reply to the foregoing. A train of 40 pieces is now in good forwardness, and will be ready in six weeks. The Treasurer and Chancellor thought they could furnish £200,000 sterling for the expedition. Hamilton is to get the guns in Edinburgh Castle made unserviceable, if possible. The King does not intend to yield, &c. Greenwich, 20 June 1638. [Burnet, pp. 59, 60.]

103. Hamilton to the King. [Printed.] That he cannot prevail further, and has desired to return to court, ostensibly to lay the covenanting proposals before the King. On this ground he has urged the Covenanters to disperse, which he hopes they will do. He urges warlike preparations, and gives advice as to details. He offers the six cannon presented to him by the Swedish Government, to be used for the King's service. He is in treaty for possession of the Castle of Edinburgh. The Scots are still procuring arms from abroad, and the traffic should be stopped by the King's agents. Dalkeith, 24 June 1638.

104. The King to Hamilton. The King expresses his great dislike to the covenant ; and intends himself to come in person with the expe-

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dition to Scotland. Greenwich, 25 June 1638. (Burnett, pp. 60, 61.)

105. Hamilton to the King. The Covenanters urgently demand the calling of an Assembly, and a meeting of Parliament, and threaten further petitions. He has succeeded in postponing an answer till the 5th of August. His Majesty's preparations may then be ready. The Marquis relates his difficulties with the Earl of Mar as to Edinburgh Castle, and concludes by commenting on the madness of the people. Holyrood House, 29 June 1638. (Printed.)

106. The same to the same, also dated 29 June. Chiefly acknowledging the King's letter of the 25th.

107. The King to Hamilton, in answer to his letter of 24th, giving him leave to come to Court, and asking him not to promise to mediate with the King in anything against the latter's intentions. Greenwich, 29 June 1638. [Burnet, pp. 61, 62.]

108. Hamilton to the King. That the Court of Session had resumed its sittings on the second of the month, and he had published the King's declaration, which had been protested against. Holyrood House, 4th July 1638. [Printed.]

109. The King to Hamilton, trusting that he is now on his way to Court. Greenwich, 9th July 1638. [Burnet, p. 65.]

110. Hamilton after his return to Scotland, to the King, that he finds no change, but for the worse. The people are expecting his Majesty's reply, but continue their preparations, and training of men. They are somewhat influenced by the King's delay in coming with an army, and he trusts divisions may arise among them. Holyrood House, 11 August 1638. [Printed.]

111. The same to the same, that on his way from Court to Scotland he had met the Scottish Bishops, who were grieved that the King had consented to an Assembly. The Bishop of Saint Andrew's was willing to demit his office of Chancellor, on receiving £2,500. Ferrybridge, 12 September 1638. [Printed.]

112. The same to the same, that the council were on the whole pleased with his Majesty's resolution, that there was at present a jealousy between the ministers and the laity, which he hoped to foster. Holyrood House, 17 September 1638. [Printed.]

113. The King to Hamilton, merely acknowledging receipt of the preceding two letters. Hampton Court, 22 September 1638. [Burnet, p. 79.]

114. Hamilton to the King [printed], a very long letter, giving a detailed account of the reception of his Majesty's resolutions by the Scottish Council and the Covenanters. That the assembly had been proclaimed, and an act of thanks passed by the Council. He desires preparations for war to be hastened. Holyrood House, 24 September 1638.

115. The same to the same, giving further account of proceedings and of the opposition made to the King's proposal to have the Confession of Faith of 1567 signed instead of the Covenant. That this declaration had been well received in Glasgow. He still hopes for division among the Covenanters. Holyrood House, 27 September 1638. [Printed.]

116. The King to Hamilton. The King briefly assures the Marquis of his approval of all his proceedings. Hampton, 30 September 1638. [Burnet, p. 81.]

117. The same to the same, commenting on his letter of 27 September, and expressing his opinion that the last protestation of the Covenanters was treason ; the King opines that there were few against Episcopal Government who are not against Monarchy in their hearts, that Hamilton should try to sow divisions in the Assembly, &c. Hampton, 2 October 1638. [Burnet, pp. 82, 83.]

118. Hamilton to the King, giving an account of the difficulty he had in winning the people on his own estates to agree with the King's views. He still hopes to foster divisions, but it is clear that the covenant is intended to link the people in opposition to his Majesty. He hopes to make the nullity of the coming Assembly appear, &c. Hamilton, 5 October 1638. [Printed.]

119. The King to Hamilton, in reply to the preceding. The King wishes to know why protesters were mingled with his good servants in Commissions to procure subscriptions to his Band ; that the Council should express themselves more vigorously against this last "damnable protestation," &c. Hampton Court, 9 October 1638. [Burnet, p. 85.]

120. Hamilton to the King, acknowledging his Majesty's letters of 30 September and 2nd October. The Covenanters mean nothing but sedition, those charged with procuring subscriptions to the authorised Confession are remiss. The Senators of the College of Justice have agreed to sign it. Episcopacy is in danger, but it is chiefly the monarchy which is aimed at. He concludes by advising stores and garrisons to be placed in Berwick and Carlisle. Hamilton, 14 October 1638. [Printed.]

121. The same to the same [printed], acknowledging the King's letter of 9th October, and in reply explaining the reasons which led him to join the protesting Covenanters with those well affected to the King, as Commissioners for procuring subscriptions to the Bond or Confession approved by the King. He reminds the King that working by treaty was his Majesty's wish, he himself advised another way, but the only method of gaining the King's end was to make a party for the King, and once so to quiet the people, that afterwards his Majesty might reign as King and punish offenders, &c. Hamilton, 15 October 1638.

122. The King to Hamilton, a short note, stating that the bearer (not named) but afterwards referred to as Robin Leslie, had the King's approbation, but little hope of carrying his proposal into effect. Whitehall, 15 October 1638. [Omitted by Bishop Burnet.]

123. Hamilton to the King, expressing disappointment that the Bishops had not met him at Edinburgh as desired, only the Bishop of Brechin being there. He had advised as to the nullity of the coming Assembly, and states that the Bishops advised its prorogation. The Marquis however advises that it be held, chiefly for the sake of his Majesty's good faith. He fears it will be a troublesome Assembly. Dalkeith, 22 October 1638. [Printed.]

124. The King to Hamilton, in answer to his of 14th and 15th October, sent by the Bishop of Ross, with whom the King had consulted, and was satisfied with Hamilton's reasons for joining Covenanters in getting subscriptions for the King's Covenant. Whitehall, 24 October 1638. [Burnet, pp. 90, 91.]

125. The same to the same, in answer to Hamilton's of the 22nd. The Archbishop of Canterbury would send a particular answer regard-

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ing his propositions for the Assembly; he disliked proroguing the Assembly because it would hurt his reputation; approving of the Marquis's List of Assessors to the Assembly. Havering, 29th October 1638. [Burnet, p. 83.]

126. Hamilton to the King, a long letter, commenting severely upon various Councillors and others in Scotland who supported the Covenanters. Sir Thomas Hope is denounced as a "bad and most wicked instrument" in this connection. Sir Lewis Stewart and Gilmour are afraid of losing their practice, if they appear for Episcopacy. Sir Thomas Nicolson is the best for the King's service, in place of Hope, who is to be deprived of the office of King's Advocate. He considers the Council's letter to the King somewhat wanting in due allegiance, but it will oblige them to concur with him in dissolving the Assembly if need be. The Lords of Session were asked to sign the King's confession. Nine did so, others demurred, and the Marquis criticises the defaulters sharply, especially Gibson of Durie and Scot of Scottstarvet. He is in treaty for the delivery of the Castle of Edinburgh from the Earl of Mar who demands 5,000*l.* He concludes by asking 10,000*l.* to supply the necessities of the bishops, &c. Holyrood House, 2nd November 1638. [Printed.]

127. Hamilton to the King, acknowledging receipt of the propositions to be made to the Assembly with alterations by his Majesty. He earnestly desires the coming of the Bishop of Ross, as none of the clergy with him can say anything in defence of themselves, or give him any help. If he were not supported by his Majesty's favour, he would go mad, like the Assembly from whom he expects nothing but "madnes in the heyeyist degrie." Holyrood House, 5 November 1638. [Printed.]

128. The King to Hamilton, announcing the death of the Dean of Durham, and asking whether the deanery ought to be given to Walter Balcanquhal, or whether he should be reserved for another nearer the King's eye. Also instructing the Marquis to have an eye upon Argyll as the King was informed that he had made great preparations. Whitehall, 5th November 1638. [Burnet, p. 100.]

129. Hamilton to the King, in reply [printed], referring to Balcanquhal's services. He is "shuch a one as heath contributed more to make a deivisioune amongst thir wicked people then all the rest of the Kingdome heath doune and heath broght it to thatt pase thatt the best and greatest part of the ministrie will be on your Majesttie's syde, I ame confident, schortlie." Hamilton desires the Deanery to be kept vacant till he see the King. He fears the information given about Argyll is too true. Holyrood House, 12 November [1638].

130. The King to Hamilton, explaining certain words altered in his declaration, to be made to the Assembly, the substituting of "content" for "pleased" if the Assembly abolished the five Articles of Perth. Whitehall, 12 November 1638. [Burnet, p. 93, where the date is misprinted "21th."]

131. Draft (incomplete) proclamation or declaration, afterwards read to the Assembly of the Church of Scotland at its meeting at Glasgow, 21 November 1638. [The full text is printed by Burnet, pp. 95, 96.]

The Draft in question was probably shown to the Privy Council on the 22nd September, (See No. 114 ante,) as there is preserved along with it the letter of thanks and approval of the proposed subscription

of the Confession of 1567, addressed by the Council to his Majesty. The letter bears no month or year, but must have been written on the above date. It is signed by Hamilton, and twenty-nine members of Council, among them being Lorne (afterwards Marquis of Argyll), Angus, Sir Thomas Hope, and others, prominent Covenanters.

132. Hamilton to the King, partly as to the money for the Bishops, and also as to the defenceless state of the Castle of Edinburgh. He is on the eve of going to Glasgow for the "unluckie busines" there. Holyrood House, 16 November 1638. [Printed.]

133. The King to Hamilton, that he will do his best to furnish the 10,000*l.* for the bishops, which is very necessary. Whitehall, 21 November 1638. [Burnet, p. 100.]

134. Hamilton to the King, announcing his arrival at Glasgow on Saturday the 17th, and the opening of the Assembly. "Ther ar shuch a crue assembled togidder and thatt in shuch equippage as I dare boldlie affirme, neuer mett since Chrystianitie was professed, to treatt in excclesiastick affaires." About 260 members, each of whom have two, or three or four assessors, make up the assembly. The most part are described as totally void of learning. He has done his best to gain time by postponing the election of Moderator, &c. Glasgow, 22 November 1638. [Printed.]

135. Hamilton to the King, further as to the proceedings of the Assembly, but stating nothing of special importance. Glasgow, 27 November 1638. [Printed.]

136. The same to the same. [Printed.] The "insolencies and indiscretiouns" of the assembly had become so evident that he summoned the Council to a meeting in the Chapter-House, and intimated his intention of dissolving the Assembly. He asked their advice as to the manner of doing it, but refused discussions as to the fitness of it. After discharging the Assembly, details of which he leaves to the bearer, he again summoned the Council, but Argyll and Almond refused to come. He however procured signatures to a proclamation. He had spoken with Argyll, who had now resolved openly to declare himself a Covenanter, which he had since done. The Marquis sees no remedy but force. From Hamilton, 1 December 1638.

137. The King to Hamilton, approving of his behaviour towards the Assembly, and informing him by the bearer of his own preparations. Whitehall, 3rd December 1638. [Burnet, p. 99.]

138. The same to the same, in reply to his of the 1st December, commending his dissolution of the Assembly, instructing him to give hopes of holding a parliament. Whitehall, 7 December 1638. [Burnet, p. 107.]

139. Hamilton to the King, that his Majesty's war preparations had caused some commotion in Scotland. He thinks it best that he should now return to Court, as he can no longer treat with people in the condition of rebels. Holyrood House, 16 December 1638. [Printed.]

140. Hamilton to the King. This letter is much destroyed by damp, but seems chiefly devoted to a review of Hamilton's administration, and an indication that he will shortly leave Scotland. Holyrood House, 17 December 1638. [Printed.]

141. At this point may be noted.

A Register or Scroll Book of letters written by the Marquis of Hamilton as Commissioner during the year 1638. None of the letters

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recorded in it are of special importance; the chief among them being letters to various Professors of Aberdeen, who supported Episcopacy; and others to various Covenanters to press his Majesty's views. One item of general news is given in a letter to the Marquis of Huntly, 11 November 1638, that "Cardinall du Valett," after the defeat of the French army at Fontarabia, thought he would be safer in England than at the French Court, and so is in London *incognito*.

142. There are also a few letters received by the Marquis during the same period. Of these the principal are :—

(1.) A letter from Colonel Alexander Hamilton, refuting a slander against the Marquis, which had been ascribed to him. From Holyrood House, 14 August 1638.

(2.) A letter from the Rev. Andrew Lawmonth, minister of Markinch, stating that his parishioners had refused to pay his stipend, and he being a "non-Covenanter," dare not go to law with them; that he had lived on credit for twelve months, with a family of eighteen persons; he begs an advance of 1,000 merks, and trusts this favour will be shown to him as to other ministers whose stipends are detained. Markinch, 24 September 1638.

(3.) Letter signed by the Earls of Traquair and Haddington (written by the former) giving an account of their efforts to procure subscriptions to the Kings Covenant in Selkirkshire; that the ministers and laity had expressed no dissatisfaction with the proposal, but absolutely refused to sign until after the Assembly. The gentry at first pretended ignorance of the matter, but on being instructed, expressed themselves favourably, and unwilling to controvert his Majesty, but the writers doubt whether any of them will be moved to leave the multitude before the General Assembly. From Selkirk, 3 October [1638].

(4.) Letter from the (second) Earl of Haddington, accompanying the preceding, adding that he will report what can be done in Roxburghshire and the Merse, but he does not think that any one of quality will sign before the Assembly. Selkirk, 3 October [1638].

(5.) Letter from the Earl of Dumfries, and two others, stating that they had met at Ayr to publish the King's declaration, but found a great part of the gentry and burghers prepared to protest, the ministers having published reasons against it, issued by the "Tables." The writers have therefore delayed for further instructions. Ayr, 5 October 1638.

(6.) Letter from Patrick Maule [afterwards first Earl of Panmure], that he had received a letter from the Earl of Southesk to attend him and the Earl of Kinghorn at Forfar, which he would do, though on the eve of going to England. "The Covenanteris is uerey bussie in thire partis to hender all from subscryuing which I fear shall work to much to that affect, though I dar say this that which his Majestie hath done bee your procurmant hath giuin such satisfaction to the multitud that if bussinos cam to an extrematie, that his Majestie would gate fue heer to be in his contrarie." He will be glad to receive any commands the Marquis may have for Court. 9 October 1638.

(7.) Another letter from the same, written apparently from London, commenting on the military appointments and preparations in England, and trusting the news of these will not set the Covenanters

"soe a fire as to committ some insolencie," &c. 28 November 1638.

(8.) Letter from Lord Goring, chiefly in praise of the King's government, and alleging that the ill-affected in Scotland will receive little encouragement from England, there being a general devotion to the King. He trusts the fire flaming in Scotland may be timely quenched. 4 December 1638.

(9.) Letter, the date of which is blotted, but appears to be Knoydart, 24 September 1638, addressed to the Marquis of Huntly by Sir Donald McDonald of Sleat, expressing obedience; that he had met with the Captain of Clan Ronald and the Laird of Glengary and their whole name or clan of Clan-Donald, who had sworn to do and live with him in the King's service. The Earl of Antrim had written two letters to him in the Marquis of Hamilton's packet, &c.

143. King Charles the First to the Marquis of Hamilton. Jacob Ashley had possessed Berwick with 1,000 foot and 60 horse, and Lord Clifford Carlisle with 300 men. The King had commanded Traquair to keep his chamber till he gave account how he left Dalkeith without a stroke, and left the ammunition and regalia; the patents of honours should be detained till the country were settled. York, 2 April 1639. [Burnet, p. 118.]

144. The same to the same. The King sends back the proclamation and military oath with a few additions. Could not say more about Traquair because he had not yet seen his defence. 500 Irish were safely landed, and by that time in Carlisle. He wishes to know if Hamilton had entertained Colonel Gunn, for it was said he was going back to Germany. It was said that Aberdeen still held out. York, 3 April 1639. [*Ibid.*, p. 119.]

145. The same to the same. News had come of the surrender of Aberdeen immediately after the dispatch of the King's last letter, and Huntly had retired. Orbiston and Sir Lewis Stewart had advised the King to change some things in the proclamation, and the King thought he would alter one point not to set prices on the declared rebels heads till they had stood out for some little time, which was to be expressed in the proclamation. York, 5 April 1639. [*Ibid.*, p. 119.]

146. Instructions to the Marquis, issued previous to the passing of his commission, appointing him general of the army against Scotland, authorising him to embark himself and troops on board the ships provided, and empowering him on his landing in Scotland to make war there, &c. Signed by the King and dated at Westminster, 7 April 1639.

147. Draft letter (undated), Hamilton to the King, advising that the proclamation (against the Covenanters) be published as speedily as possible, that it be sent to Edinburgh and to various Scottish noblemen. [Printed.]

148. The King to Hamilton. Sending the proclamation, and would do his best to get it proclaimed. York, 7 April 1639. [Burnet, p. 120.]

149. The same to the same, with warrant to commit hostility against all who would not submit. Same date. [*Ibid.*, p. 121.]

150. The same to the same. The King had spoken with Henry Vane, and agreed with him in all things but one, that Hamilton's going to the Firth would make the rebels enter England. The King rather thought it would be a diversion to hinder them, and he desires the

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Marquis to go on in God's name. The King expects to be in Berwick in 14 days. Same date. [*Ibid.*, p. 121.]

151. Draft letter, Hamilton to the King, in answer to the preceding letters of the 7th and 10th. He will use all means to publish the proclamation, and to punish those who do not receive it. He would go on with the expedition, but states that not 200 of the 5,000 composing it ever had a musket in their hands before, &c. Yarmouth Roads, 15 April 1639. [Printed.]

152. Draft, the same to the same. That the wind and sea together had delayed the embarking of those regiments which had come to Yarmouth. The soldiers are good bodies of men, well clothed but the arms are defective, and the men untrained, so that it will need a month to fit them for service. One of the officers is so sea-sick, that he must be left behind, and there is a great want of other officers. He narrates other difficulties of the service, but hopes he may be able to annoy the rebels. Yarmouth Roads, 18 April 1639. [Printed.]

153. The King to Hamilton. The King had consulted with Henry Vane and Arundell for he could trust no other, and the expedition was to proceed. The proclamation with a few changes was to be sent. York, 18 April 1639. [Burnet, p. 122.]

154. The same to the same, sending the proclamation, in which neither the general assembly at Glasgow nor the Covenant was mentioned. If he could get civil obedience restored he could talk of them in better terms. No exceptions to be made in the pardon. York, 20 April 1639. [*Ibid.*, p. 123, where the date is misprinted 10 April.]

155. The same to the same. The King is sorry for the defects in his forces, but wishes Hamilton to proceed. He should think of Tantallon and not of the north, "for Huntly is bothe feeble and falce." Hopes for a merry meeting in Scotland. York, 23 April 1639. [*Ibid.*, p. 123.]

156. The same to the same. A few lines pitying his cross winds, and commending his diligence. York, 27 April 1639. [*Ibid.*, p. 124, where it is said to be dated 25th April.]

157. Hamilton to the King. If the Scots are not bereft of their judgment, they will render obedience to the King. He trusts his Majesty will be at Berwick by the 12 or 15 May. He will be careful as to Tantallon, but desires to be put in communication with the Marquis of Douglas. He has taken several Scots ships; he intends to make their men take an oath to his Majesty, take out any ordnance, and let them go their way, &c. From on board the "Rainbow," at Berwick, 29 April 1639. [Printed.]

158. Hamilton to the King (draft). [Printed.] That his Majesty's affairs in Scotland are in a desperate condition, the people are enraged, and ready to die rather than accept the King's proclamation; it will be a work of great difficulty to curb them by force, their power and combination being great. He can at present do nothing offensive but stop all the trade. He is anxious that the King should advance as rapidly as possible with a suggestion that he might patch up the business if he did not find himself in the posture requisite, as they seemed to offer civil obedience. Aboard the "Rainbow" at Leith, 7 May [1639].

159. The King to Hamilton. That neither what the King nor Henry Vane wrote was to be taken as commands but only advice.

Suggests that if he could not land his men in Lothian he might send them to the North. As places for landing he suggests Stirling or Dunbar. Inclosed is a paper with suggestions for securing the passages of the Ness, Tay, and Forth. Newcastle, 8 May 1639. [Burnet, pp. 127, 128.]

160. The King to Hamilton, carried by Lord Aboyne. The King would rest quiet for the time on their rendering civil obedience, but they must first demand pardon and render up the Castles; did not think he was in case to conquer them, but would force them to obedience in time by stopping their trade, &c., "the which rather than not doe I shall first sell myself to my shirt." Newcastle, 10 May 1639. [Burnet, p. 136, where it is without date and seems misplaced.]

161. Hamilton to the King (draft), in answer to that of the 10th. That as the eight days of grace given in the proclamation were nearly expired, he would have attacked some places, had his Majesty not enjoined delay and only stopping of their trade. He is confident in his troops who now begin to handle their arms well. His Majesty must expect neither party nor assisters in Scotland. He waits the King's orders to fall to work, and a fortnight afterwards will endeavour to reach Aberdeen. He thinks this matter ere long will prove a national quarrel, and suggests that many of those around the King are friendly to the Covenanters, who know as much of the King's movements as any one. He thinks it strange that covenanting petitions should be presented by English noblemen, and urges the King to compel them to refuse. He makes a very earnest appeal for victuals to be sent. He can do little with his army but burn a few places. Tantallon is in the hands of the Covenanters. They have lately spoken in more humble terms, but always insisting on the abolition of Episcopacy, or a Parliament. Date endorsed, 14 May [1639]. Printed.

162. The King to Hamilton. Newcastle, 17 May 1639. [Burnet, p. 131] enjoining further delay; but to fall on if they sent a great force to the Borders. Should still go on about the treaty.

163. The same to the same, shortly recommending the lords with whom the letter was sent. Newcastle, 21 May 1639. [Burnet, p. 135.]

164. Hamilton to the King. The Scots will make no peace nor accept any conditions but the ratification of their late Assembly. They desire to force the King to a battle, as they are strongest in infantry. As soon as they come near the King they are to present a petition, which if he refuse, they will proceed to extremities. Hamilton suggests using two of the three regiments with him. He waits orders for proceeding to hostilities. Endorsed 21 May [1639]. Printed.

165. The King to Hamilton, requesting him to send forces to Holy Island, and suggests that he should leave 300 men in Inchcolm. Newcastle, 22 May 1639. [Burnet, p. 133.]

166. Hamilton to the King (draft). He has done his best to effect diversions in favour of the King, by sending part of the fleet towards Dunbar, and also despatching boats up the river. He believes the fleet has prevented the men of Angus and Mearns from coming. He had sent to the Isle of May for water, as the springs in Inchcolm were dried up and the beer for the army was mostly spent. Leith Roads, 25 May 1639. [Printed.]

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167. The same to the same (draft). That before receiving the King's of 22nd May, he had shipped two regiments to Holy Island. He is afraid he will be blamed to his Majesty for not entering more actively into hostilities. He regrets parting with the regiments but was afraid the King without them might suffer an affront. He will do his best with the remaining troops, and will leave men sufficient to defend Inchkeith, which he had fortified. From the "Rainbow," near the Isle of May, 26 May 1639. [Printed.]

168. The same to the same (draft). He had learned that the Covenanters were to halt at the distance of ten miles from the borders, and was therefore satisfied as to his Majesty's safety. A total obedience should be enjoined on the Scots, but he has no desire to be employed in a treaty, as the result would be no great good. He asks the King not to allow Traquair and Southesk to come to him. 29 May [1639]. Printed.

169. The King to Hamilton, dated at Newcastle, 13 May 1639, but sent with Lord Aboyne, and received by Hamilton on 29 May. The King asks Hamilton not to engage in money expenses, leaving him to judge as to sending the forces he could spare to the King. [Burnet, pp. 136, 137.]

170. Hamilton to the King (draft). That Lord Aboyne had delivered his letter, but as he expected men and money, Hamilton could not supply these, nor give anything but good words. He has no hope that good can be done in the north, without a considerable force, for whom it would be impossible to provide food. May 29 [1639]. Printed.

171. The King to Hamilton expressing complete confidence in him. Berwick, 29 May 1639. [Burnet, p. 137.]

172. Hamilton to the King. Recommending an "honest lord" [Lord Seton] who had come to him in a small fisher boat. He was much encouraged by what he had heard from him, and the hopes of a party in the north whither he had dispatched Lord Aboyne, who promised to be advised by Colonel Gun (to whom he had given 500*l.*). The Marquis offers to go north himself, if he could have 5,000 men and two troops of horse, with 10,000 or 12,000 pounds. He had not heard lately from the Covenanters. He trusts disorders will soon arise amongst them, that their reduction to obedience may prove less difficult. He urges the King to declare their principal men traitors. Leith Road, 31 May 1639. [Printed.]

173. The King to Hamilton, in answer, that he cannot spare men. Camp near Berwick, 2 June 1639. [Burnet, p. 138.]

174. Copy (signed by the King) of his declaration, refusing to ratify the General Assembly at Glasgow, but appointing a General Assembly to meet at Edinburgh on 6 August, and a Parliament to be held there on 20th of same month; agreeing also to the disbanding of forces, &c. [Burnet, pp. 141, 142. In terms of this declaration, the Covenanters disbanded their troops, gave up the King's castles, &c., while he restored the ships seized, and made other concessions.]

175. Register of Letters, Warrants, &c. written by the Marquis of Hamilton on board ship, while acting for the King during the year 1639. Besides the Instructions and Regulations for the army under Hamilton's command, this Register or Scroll-book contains the warrants and orders issued by the Marquis to officers, masters of ships, and others

under him. The dates comprehended in this book run from 12th April to 20th July 1639. There are also a few draft letters not found elsewhere, of which the principal are—

(1.) A letter to the Provost and bailies of Edinburgh, intimating that as the "faire and calme waies" taken by the King to reclaim his disobedient subjects had hitherto been in vain, nothing can be expected from his Majesty but force, yet the writer had come as a High Commissioner to treat with them, and he desires them to show humble obedience to the King under pain of being held responsible for the consequences of refusal, and the bloodshed which may follow. From on board the "Rainbow," 2 May 1639. [The reply to this is given below.]

(2.) Letter to the same, referring to their refusal to allow the Clerk of Council to come on board and the contempt thus shown to the King; requiring them to see and publish the King's proclamation. With threats if not obeyed. 6 May 1639. [For answer see below.]

(3.) Letter to James Primrose, Clerk of the Privy Council, sending a copy of the King's proclamation of "grace and pardon to all his seduced subjects in Scotland which will forsake their extravagant courses and willingly embrace the same" [proclamation], which the Clerk is to publish if the Provost, &c. refuse. 6 May 1639.

(4.) Letter to the Provost and bailies of Edinburgh, upbraiding them with delay in publishing the proclamation, that they desire not the King's loving subjects should be made aware of his princely benignity. He concludes by reproaches for their obstinacy. 10 May 1639.

(5.) Copy letter to the Earl of Lindsey (then Governor of Berwick) informing him that a vessel had been captured with some Scottish officers, and others, who he believed had been summoned home by Leslie to command the Scots. He sends the officers to Berwick to the Earl's custody, as he has nowhere to secure them, and he warns the Earl to take precautions against their escape. He advises the Earl of the march of the Scottish army towards Berwick with artillery and about 25,000 men. He represents the Scots as desperate in their desire to free themselves from their straits. 21 May 1639.

176. Copy of Instructions by the Lords of the Covenant to the general meetings and committees appointed by them in all the shires of the Kingdom, then divided into four parts, that an army may be raised out of each division by arming and training the inhabitants, and forming them into companies and regiments to be ready to march whither the Committee of War shall command them, according to the light of God's word and their own oath. January 1639.

177. Copy of Instructions directed for a similar purpose, the raising of men and money in the different shires. 18 May 1639.

178. Letter from Sir William Stewart, some time keeper of Dumbarton Castle, explaining the cause of his surrendering that fortress, that the place was weak in itself, that he had no hope of relief, that his men were all Covenanters, and though willing to keep the Castle, they refused to admit the King's troops into it, &c. Edinburgh, 13 April 1639.

179. Letter from the Provost and bailies of Edinburgh, acknowledging the care his Majesty had of his native kingdom; expressing regret that the suggestions and misinformation of their enemies should lead

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his Majesty to use force against them as refractory and disobedient. They have sought nothing but the liberty of their religion, and they are grieved that the Marquis should come in such a hostile way as may provoke rather than pacify. Nothing can be required of them which they will not cheerfully perform, and if innocent blood be shed, that will be on the heads of the chief causers of the present troubles. They conclude by earnestly begging the Marquis to convey the true state of affairs to the King. Edinburgh, 3 May 1639. [In answer to Hamilton's of 2nd May, No. 175[1] *supra*.]

180. From the same, in answer to Hamilton's of the 6th May [No. 175[2] *supra*], that having considered the importance of the King's proclamation, they humbly crave the space of three days to advise upon it with those whom it concerned. They profess dutiful loyalty and obedience to the King. Edinburgh, 6 May 1639.

181. From the same, expressing adherence to the reply given by the Covenanting noblemen and others. Edinburgh, 9 May 1639. [The letter of these noblemen has not been found, but it is printed at length by Burnet, pp. 125, 126. It is signed by a number of the Covenanting lords who protest against the publication of the King's proclamation as being against the law; regretting that they had been unable to reach the King's ear by their petitions, and begging for the holding of a General Assembly and Parliament. Edinburgh, 9th May 1639.]

182. In this connection may be noted a letter of an earlier date, addressed to the Marquis on 7th January 1639 [found with the above papers], thanking the King for the General Assembly of 1638, and earnestly beseeching the Marquis to represent the truth of their loyalty and devotion to his Majesty.

183. Two letters from James Primrose, Clerk to the Privy Council, dated 2 and 6 May 1639, stating in brief that he had been in the first place prevented from communicating with the Marquis, and secondly, prohibited from publishing the proclamation.

184. Draft reply of the Marquis to the letter of 9th May, from the noblemen, addressed to the Earl of Rothes, charging him and the others with disobedient courses; asserting that the King had never shut his ears to the dutiful supplications of his subjects, &c. [Printed at length by Burnet, pp. 126, 127, as of date 10 May.]

185. Letter from the Lords of Council and Session proposing a conference of some of their number with the Marquis. Edinburgh, 10 May 1639.

186. Letter from Mr. Eleazar Borthwick, a Presbyterian minister, to the Marquis of Hamilton, warning him against the evils of fighting against God and his native country, trusting he will be led to repentance, &c. [9 May 1639.]

187. Draft reply of the Marquis to Mr. Borthwick, that he has been entrusted with a special commission, and he accounts it the greatest happiness of his life that his Majesty had employed him. 12 May 1639.

188. Another letter from Mr. Borthwick, that he had waited two days hoping to go on board, but it was not calm enough. Lord Rothes had sent him Hamilton's letter of 10th May, begging him to answer shortly "that we are not rebelles." He hears the letter was very ill taken. He intimates that Lord Lindsay is to present a petition. He himself has been dealing in the business but finds many difficulties. It is to no

purpose to expect but that all must stand as was concluded at the last General Assembly. Leith, 17 May 1639.

189. A petition (presented by Lord Lindsay) from the noblemen, barons, and burgesses convened at Edinburgh, deprecating his Majesty's indignation, and stating that "we doe now expres, not moved with feare bot with the sense of duetie, that our hearts have beene and are frie of all disloyaltie and dissobedience whatsoevir to our gratious soveraigne; and least our hope of a happie peaciable and contented conclusion be interrupted by the mischieff that may aryse from the stope of trade and injuries done by the fleet lyeing heir, or by the armies that will ly so neir vpon the borders." They earnestly beg the Marquis to mediate with the King, etc. Dated 16th May, and presented to the Marquis 18th May 1639. [Along with this, but without date, is a draft petition to the King for a Parliament.]

190. Draft letter to Mr. Borthwick, that the Marquis had returned such an answer to the above petition as would show his affection to peace. He announces the capture of a ship with some Scottish officers, women and children, and he begs that boats may be sent from the shore, to which the women and children, with their baggage, may be transferred, as it is not such he looks after. 20th May [1639].

191. Draft letter, Hamilton to Lord Lindsay, in answer to the petition, that he knows not what way to mediate that his Majesty would be pleased to withdraw his just indignation from the Scots until they give an humble submission to him, and desist from their present courses, when no man shall more seriously labour for peace than the Marquis will. He defends the action of the fleet, &c. 20 May 1639.

192. Letter, Mr. Eleazar Borthwick to Hamilton. Nothing can be done unless the Assembly be ratified. Efforts to frighten the people only increase their zeal and courage. He warns Hamilton that his letters make people bitter against him, &c. Edinburgh, 23 May 1639.

193. Draft letter in reply, that Hamilton cannot be made to believe that his master is not in the right. 23 May [1639].

[Bishop Burnet gives two letters, one by the Earl of Rothes, in reply to Hamilton's of 10th May, and the answer by the Marquis, neither of which have been found in the Hamilton Charter Chest. The letters are not in a conciliatory tone, and are chiefly repetitions of what is found in other letters. They are said to be dated 13th and 17th (27th) May respectively. Burnet, pp. 129, 130.]

194. Letter from "Lord Lindsay" (John first Earl of Lindsay) in answer to Hamilton's letter of 20 May. The refusal of the Marquis to mediate unless they submit and desist, makes them wonder what kind of submission and obedience he would exact, as they had offered many times what their religion and laws required. They would gladly desist, to prevent the destruction of which Hamilton is the special instrument. They send certain articles of their desires, to which they wish a clear answer, by which they may know what to expect better than by any of Hamilton's letters. Haddington 22 May 1639.

195. The six Articles state, that on Hamilton's coming as High Commissioner they hoped for legal redress, but injuries have been multiplied. (1.) They, though loyal and free subjects, had been con-

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demned unheard, and declared rebels, &c. (2.) Strangers are landed in their islands who have fired at ships, towns, and men. (3.) Their ships are taken without their having given offence. (4.) The captives are forced to subscribe oaths contrary to kirk, kingdom, and the confession of faith, &c., and this is made the badge of loyalty. (5.) Strangers and natives are taken prisoner, an act of hostility unparalled where profession is made of fair dealing. (6.) Proclamations are issued which tend to set class against class, &c. They desire that these things be remedied; or otherwise that it be not imputed to them, if after long waiting an answer, they be so wearied, that they use the best remedies they can for a speedy redress. Signed by the Earls of Rothes and Loudon and four others.

196. Draft letter, Hamilton to Rothes, in answer as to Lord Lindsay's letter, and the above articles, that Lindsay's letter is in a strain not fit for a subject to write to the King, and the articles are but unjust complaints, to justify disloyal proceedings. The rest of the letter, which is short, is in the same strain, insisting on submission, &c. [23 May 1639.]

197. Hamilton to Rothes, consenting to a conference. [28 May 1639.]

198. Rothes to Hamilton, excusing his waiting on the Marquis, as the English advance required his attendance in case of further invasion. Renewing his desires that the Marquis would yet act as a mediator, which hitherto he had not done. "From our Leaguer, the 29th of May 1639."

199. Hamilton to Rothes. Still declining to mediate. 3 June 1639.

200. Rothes to Hamilton (then at Berwick with the King), complaining that though the Earls of Marischal and Montrose had in obedience to command ceased hostilities, yet McRanald, Donald Farquharson, James Grant, and John Dow Gar, with all the "broken men" and Huntly's Highlanders, to the number of 1,000 or 1,200, had despoiled many and killed some, especially in the Laird of Edzell's bounds. He begs that his Majesty would make Huntly and his son, Lord Aboyne, answerable for their men, and would give commission to root out these knaves. He also complains that all the ships have not been removed, that the Castle (of Edinburgh) is still occupied by "strangers," &c. Edinburgh, 27 June 1639.

201. Hamilton to Rothes in reply. That his letter had been read to the King, who answers that the Marquis of Huntly had undertaken to be responsible for his men, and the Council would take action against the "broken men." Explanations as to the other matters are also given. Berwick, 29 June 1639.

202. Copy of a letter written by Lord Rothes to Mr. William Murray (afterwards Earl of Dysart), chiefly defending himself from a misconception by the King of certain remarks by Rothes as to Episcopacy. The King alleged that Rothes expressed a resolution to overthrow Episcopacy in England and Ireland. Rothes denies this, and gives an explanation of the mistake. Edinburgh, [12] August 1639.

203. Letter to Hamilton from Lord Lindsay, who gives a short sketch of Traquair's actings as commissioner. That many were diffident of any good from his appointment. They had shown him that the covenant and the acts of the late Assembly must be ratified,

but that his Majesty's honour would be fully cared for. The writer begs the Marquis to urge the King to settle all, &c. Edinburgh, 16 August 1639.

204. Draft letter to Lord Lindsay, in reply (beginning "Brother," he being Hamilton's brother-in-law), regretting that his letter and the commissioner's (Traquair's) did not agree, as the latter complained of the behaviour of the Assembly. The King had sent a definite answer, which he trusts they may have grace to receive as they ought. "More I cannot doe, if you knew all you would thinke I have labored much where I owe so litle, but now it is not time for me to expresse it since I see I must still bee thought the pernicious man, as I heare by all that writes to me I am called; time will shew what I am and have beene, and so farewell. In hast, your loving brother." Whitehall, 20 August [1639].

205. Letter signed by the Earls of Dunfermline and Loudoun, explaining how they had been sent up to court with a request for a parliamentary ratification of the acts of Assembly, and how the King had refused to receive them; imploring the Marquis to intercede with the King that they be not debarred his presence, and a whole nation condemned unheard, &c. 10 November 1639.

206. Hamilton to the Earl of Dunfermline, in answer. That all he has to say is that the King's commands to them were given on mature deliberation, and he expected obedience. Whitehall, 10 November 1639.

207. The Earl of Loudoun to Hamilton. That the Scottish Parliament was prorogued to a long day, and Mr. William Cunninghame is sent up with a petition that the King would command Parliament to proceed and ratify the acts of the Assembly, with other matters. He earnestly begs the Marquis to use his influence to cause the King receive those who are sent from Scotland. Edinburgh, 23 November 1639.

208. Series of letters to the Marquis of Hamilton from the Earl of Traquair. [Printed at length by Professor Gardiner in "Hamilton Papers," &c., edited for the Camden Society, 1880]:—

(1.) That the Covenanters had delayed delivering the cannon and ammunition (which had been taken from Dalkeith), but explaining the delay. He had partly provisioned the Castle of Edinburgh, and made other arrangements as to it, &c. Canongate, 11 July [1639].

(2.) There is still delay in delivering the cannon, &c., but the ammunition which was in the ships is safely in the Castle, also provisions, and Ruthven had about 60 muskets with him. He refers to the tumult in which his white staff of office was taken from him, &c. Dalkeith, 12 July [1639].

(3.) The cannon, &c. were again delayed; he himself had been subjected to fresh insults from some women's "tonges." Giving further particulars as to state of Edinburgh Castle, &c. 13 July [1639].

(4.) That there had been much dispute among the Covenanters as to which, if any, of their number should go to the King. His servant when sent for certain muskets had been much abused, but the muskets and cannon also were promised next day. Rothes, Montrose, and Lothian, with others, were to go up to the King. Holyrood, 15 July [1639].

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209. Letter from the Earl (afterwards Marquis) of Montrose to King Charles the First. [Printed by the Camden Society, 1880, and also in Napier's Memoirs of Montrose.] The Earl explains the reasons of his delay in coming to his Majesty, being the jealousies which arose in Edinburgh when it was known he was to go. Edinburgh, 26 December 1639.

210. Letter from the Privy Council of Scotland to the King, enclosing a petition from the last general assembly, by which the King would perceive their earnestness for unity of religion and uniformity of kirk government in the three kingdoms; they urge his Majesty to join with his parliament to bring about this so much desired union in religion. Edinburgh, 19 August 1642.

[Between the years 1639 and 1642 there are various documents of more or less public interest, but in this charter chest they exist only as copies and being chiefly relative to the proceedings and dealings between the Parliaments of England and Scotland, are already on record, most of them in a printed form. They consist of drafts or copies of Acts passed in the Scottish Convention of Estates in 1640; copies of the Treaty concluded at Ripon 26th October 1640, and of the treaty of Pacification between England and Scotland, April 1641. Copies of papers and mutual declarations between the Parliament of England, the Convention of Estates, the General Assembly, and others, 1642. A voluntary offer (copy) made by the Duke of Richmond and others to assist the King with men and horses. York, 22 June 1642.]

211. Copy of series of letters from "J. Pickering," an agent in Scotland of the Parliament of England, containing accounts of what passed in the Privy Council of Scotland. December 1642 to January 1643.

212. Copies of Petitions by the Commissioners of the Kirk of Scotland to the King, and to the Convention of Estates, directed against popery and prelacy. 4 January and 6 July 1643.

213. Copy of Proclamation issued by the Marquis of Montrose in name of the King promising grace and pardon to those who submit to the King. [Indorsed, 17 August 1645.]

The following letters, written to King Charles the First, relate to the time when the King was with the Scottish army at Newcastle, and when he was obliged to order Montrose and other royalists in Scotland to lay down their arms. The letters which are from royalist noblemen probably came into the hands of Hamilton, then Duke, when acting for the King to effect the safety of Montrose :—

214. Letter from the Earl of Seaforth to the King expressing his affection and loyalty, for however both his affection and actions have been questioned, his endeavour was, is, and shall be to show himself a faithful Christian by contributing to the advancement of the Protestant religion, a loyal subject by conducing to his Majesty's honour, and a true hearted patriot by studying the preservation of law and liberty, &c. Strathspey, 2 June 1646.

215. Letter to the King from the Earl of Crawford (Ludovic 13th Earl). He is resolved to be obedient to his Majesty in all things, and "to run the same hazard and course with the Marquesse of Montrose. I could wishe that the litell drope of blood which remains in my bodie unspent might be shede to make your Majestie a glorious and happie prince," &c. 3 June 1646.

216. The Marquis of Montrose to the King. "May yt please your sacred Maiesty; I receaued your Majestys by this gentillman the bearer Lieutenant Cornell Ker carying your Majesty's being att Newcastell togither with your Majestys pleasure for disbanding of all forces and my oune repaire abroad. For the first I shall not presume to canuasse bot humbly acquiesch in your Majestys resolutions. As for that of present disbanding I am lykwayes in all humility to rander obedience (as neuer heaueing had nor heaueing anything earthly before my eyes bot your Majestys seruice as all my cariages heaue hitherto and shall att this tyme witness) only I must humbly bege att your Majesty to be pleased considder that ther ar nothing remembered concerning the immunity off those heaue beane upon your seruice, that all deids in ther prejudice be reduced and those of them who stay att home enjoy ther lyfes and propertyes withoutt being questioned. For such as goe abroad that they heaue all freidome off transport as also that all prissoners be released so that no characters of what hes hapned remaine for when all is done that we can I am much affraid that itt shall trouble both those ther with your Majesty and all your seruands heir to quyett thir pairts. And as for my aune leaueing this Kingdome I shall in all humility and obedience endeuour to performe your Majestys command wishing, rather nor any should mak a pretext of me, neuer to sei yt againe with myne eyes; willing als weale by passion as action to witness myself your Majestys most humble and most faithfull subiect and seruand, Montrose. Strethspey, 2 Juin 1646."

217. Letter from the Earl of Airlie. He has received his Majesty's commands by Lieut.-Colonel Ker, and will give obedience by laying down his arms. He expresses his desire for peace, and his loyalty to the King. He humbly entreats that as he was engaged at his Majesty's command, and now submits, his Majesty will not let him be a sufferer, but will secure him in his person and fortune, as also his friends and followers in the King's service. Signed "Airlie," Cortachie, 8 June 1646.

218. Lord Ogilvy (son of the preceding) writes to the King more briefly, but in nearly similar terms. 8 June 1646.

219. Lord Loudoun (Chancellor of Scotland) to the King. That he has intelligence that the Earl of Antrim has arrived in Kintyre with some Irish forces, which is very hardly taken. He humbly represents that this may be prejudicial to the King's cause and a hindrance to peace, which all men are looking for, if by the King's commission war be continued there by such a barbarous enemy from whom no greater civility can be expected than burning and destroying of poor people, the prevention of which would be an act of wisdom and a proof of his Majesty's desire for peace. He suggests that an express should be sent to the Earl of Antrim and Alaster McDonald (his major) to return into Ireland, &c. Edinburgh, 15 June 1646.

220. The Marquis of Antrim to the King. "May it please your Majestie I am much the more pleased with this kingdome that it giues me new occasions to testifie to you my obedience and loyalltie of which your Majestie had formerly seueral euident proufs, and in that resolution I shall ever be found most constant and faithfull. My General Maior is absent to whom your Majestie was pleased to honor him with your letter whose returne I expect shortlie, and then your Majestie shall receaue more particular account by an expresse of ours.

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In the meane time noe act of hostilitie shall be attempted by me or anie of myne. Giue me leave I beseech you to take the libertie to enquire news of my good weoman, which presumption I would not undertake if I did not conceaue that it would not be displeaseing to you," &c. Signed "Antrim." Loghead [Lochhead, now Campbelltown] in Kintire, 21 June 1646.

221. To the King from "Robert Carr," apparently Lieut.-Colonel Carr or Ker; that the Committee of Estates had commanded him to repair to the Earl of Antrim, and signify the King's pleasure by which his proceedings might be speedily stayed, and that with the King's letter to the Earl he had delivered his Majesty's intentions towards peace. That Antrim on reading the letter recalled his major, Allastes McDonald who had gone to Yla, and a party who had gone to Argyll, that a satisfactory answer might be sent to the King. In the mean time Antrim will commit no act of hostility, but on the contrary will recal anything intended by him that may be prejudicial to the King's commands. The Committee appointed have gone to Dundee to satisfy the proposals as to the noblemen and gentlemen under the command of Montrose, with whom the writer intends to be shortly and deliver his Majesty's instructions. Edinburgh, 26 June 1646.

222. Two papers may here be noted, both in the handwriting of Montrose. The first is headed, "The necessary and pressing desyres of your Majesty's most loyall and faithfull subiects humbly remitted unto your Majesty's wyse deliberation." (1.) That notwithstanding the royalists laying down arms, disbanding garrisons, &c., and hopes of peace, the Committee of Estates require delivery of the private houses of the royalists, &c., which will cause a breach of the peace. (2.) Instead of composing the minds of the people, the Committee have cited the royalists to bind themselves to a peace, by which a snare is evidently intended. (3.) Church censures have been hotly directed against the royalists. (4.) That all soldiers of fortune be released to quit the country and that none be slain in time of peace, as had lately been done. (5.) A pass for Montrose and those who go abroad with him. The second paper is styled "Mrd^{m} for Lieutenant Cornell Carr," for consultation with Middleton. The chief conditions are the release of Montrose's son, and a pass for Montrose himself and his son.

223. The Marquis of Antrim to the King. That by several merchants interested in the prizes taken by his frigates, he had received letters of 29 June from the King requiring him to make restitution of the vessels and goods taken; "which is a misfortune to me, that it lyes not now in my power to obay . . . by reason I had transmitted them into Irland within few days after thay had been taken, wher I vnderstand thay are allreadie disposed amongst those who were interested with me in the adventure. I should not have failed to have given all obedience to your Majesties proclamation if it had come in time before the barkes and goods were intercepted and beinge it happened before the publication of it came to my knowledge I presume your Majestie will not be displeased that I cannot performe what is now required." He will, however, commit no further acts of hostility. He expresses his desire to obey the King in regard to laying down arms, as far as it may stand with the preservation and safety of him and his men. Lochhead, 13 July 1646.

224. Letter from Lord Napier to the King, beginning: "Now since it is free for your Majestye's servants in this kingdome, to live at home or repaire abroade at theire pleasure, I have taken the boldenes before

my departure humely to show your Majesty the passionat desyre I have to doe you service." His greatest wish is to be employed by the King. Cluny, 28 July 1646.

225. A letter from "D. Grahame of Gorthy," alleging that "no adversitie passed nor that can appeir" shall ever alienate him from the king's service. Dunkeld, 29 July 1646.

226. Letter from "A. McDonald of Glengarrie" (afterwards Lord Macdonell and Aros), professing obedience and loyalty, "being only desyrus that your Majestie may kno of a particulare faithfull servant to receve and act your commands," &c. C[astle] Liod, 30 July 1646.

227. Letter from the Marquis of Antrim. "I can not but admire how your Majestie should lay your commands vpon a person whom you are pleased so much to slight, beinge I have never vsed noe act contrarie to your commissions, neither have I disobayed in layinge downe armes in order of your two last directions. Neverthelesse I can not have that favour to have the benefitt of an ordinarie subiect, neither can I have my just demands considered, whiles there is not so much as an answere granted to my severall desires; and when your Majestie is pleased to giue me the benefitt of the one, then you may to my power command me in the other. . . . I can hardlie anie longer keepe those whose fortunes and securitie depended vpon your Majestie's grace and fortune, seeinge the remnant of Argile's forces are drawen to a head not farre from hence, whose motions I feare more than ther actions least it should occasion me to violat my engagement to your Majestie." He begs to be resolved of one course or another, whether he is to be esteemed a friend or an enemy, that he may seek some other security for himself and friends. He expects with impatience an answer in a few days, otherwise he will conceive himself free and disengaged from continuing in a condition of uncertainty. In a post-script the Earl desires the King to demand of the Marquis of Argyll why in time of treaty he had executed a prisoner, a gentleman of the Earl's name, seeing he could exchange three of Argyll's men for one of his own. "Loghead," 4 August 1646.

228. Letter from the Earl of Crawford to the King, informing his Majesty that he is on his journey to Paris, and expressing his willingness to serve the King. Kintyre, 15 August 1646.

229. Letter from "Alexander Mcdonnell," the Earl of Antrim's Major, to the King. That as he had been ordered into exile, he presumed now to say that he was once hopeful his services would have been better rewarded. He trusts the King will consider him or requite in some measure what he had done. Lochhead, 15 August 1646.

230. The Marquis of Antrim to the King, complaining that by the articles sent him he finds no ground of safety or security for himself or those who have joined him in his Majesty's service, but rather an absolute yielding to their enemies. They were desirous to submit had there been any secure course prescribed for their preservation, but by the advice of his friends, he cannot give the perfect obedience required. Lochhead, 15 August 1646.

231. Letter from the Privy Council of Scotland to the King, that at his desire, they will allow any gentleman, not forfeited or excommunicated, to pass and repass between his Majesty and the "earle" (Marquis) of Antrim. Edinburgh, 13 October 1646.

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SERIES of LETTERS from SIR ROBERT MORAY to the DUKE OF HAMILTON. [These have been printed in full by the Camden Society, 1880.]

232. Letter stating that the friends of the King in the House of Commons were afraid to speak favourably on his behalf, and they are both discouraged and displeased. Newcastle, 8 August 1646.

233. Another letter of same date. That the Parliament had taken M. de Montreuil (the French Envoy), and meant to send him to London. It would appear that he bore letters from France advising the King upon every point, which they (the Parliament) think exceeding rude.

234. Has nothing to say, but that the Queen complained of the French Ambassador for having said that the King had no way left but to sign the propositions. He is glad Hamilton assists at the meetings for public affairs. Newcastle, 12 August 1646.

235. With copy of letter from the Earl of Lauderdale. The French Ambassador is to press the King to accept the propositions (of the Parliament). The King however will not grant all. Newcastle, 20 August 1646.

236. Remarking as to Hamilton's opinion of the King's "unhandsome reservednesse." The Earl of Lanark is to expostulate. The King has bid his "concealed Embassador" let nobody believe that he will ever grant the propositions. A reference is also made to the peace of Ireland concluded by Ormond. The King enjoins that the Scottish army do not return before resolving as to his own person. Newcastle, 24 August 1646. Signed both by Sir Robert and the Earl of Lanark.

237. A letter of date 28 August, contains only a reference to the King's firmness in his resolutions as to the propositions.

238. Copy letter, chiefly as to the proposed commission from Scotland to urge the King to accept the propositions, and regretting that Hamilton was one of the party. Newcastle, 28 August 1646.

239. That Lauderdale wrote that the Scottish army was found to be in the Parliament's debt. The Independents are afraid Ireland and Scotland would join. Newcastle, 29 August 1646.

240. On 19th September 1646, after an interval during which Hamilton had seen the King, Sir Robert writes, generally, that every one is urging the King on various grounds to assent to the propositions, and so conserve his Crown. The death of the Earl of Essex is a loss to their friends and the King. A postscript adds that the King had delayed his letters.

241. The cause of delay in the King's letter was an offer to him from the English Independents consenting to a modified Episcopacy. The King has been warned it is a snare. Newcastle, 21 September 1646.

242. Sir Robert sends a letter from the King, and generally to dissuade the Duke of Hamilton from his purpose of leaving the country. [Newcastle,] 25 September 1646.

243. Another letter of same date, pressing more earnestly the same subject, and presenting on behalf of the King various reasons why Hamilton should not withdraw himself. 25 September 1646.

244. Referring to Mr. Murray, Sir Robert's cousin, who was charged with a message from the King, which had been kept private, but the covenant was not authorised, nor the propositions granted as they stood.

Newcastle, 17 October 1646. [Mr. Murray's mission was apparently to the Parliament.]

245. Relating to certain aspersions made against Hamilton's brother, the Earl of Lanark. The King had not communicated anything of his instructions to Mr. Murray except that he had given him a little latitude, save in religion. "See how fatally hee stickes to his principles." Newcastle, 24 October 1646.

246. Not much news from London. Massie's horse disbanded, and Fairfax to march northward. Their friends in the House of Commons begin to look to themselves. The Parliament will not say anything touching the King at all, and will receive him upon no terms. 4 November 1646.

247. That Lord Dunfermline and Mr. Murray had returned from London, but had not yet seen the King. Newcastle, 8 November 1646.

248. The King has commanded him to tell Hamilton to use his influence to hinder new Commissioners being sent to his Majesty, who would give no other answer than he did before. The writer cannot yet give a full account of affairs. 12 November 1646.

249. Two days later, Sir Robert writes that the King proposes once more to send a message to the Parliament. He then enters into a long commentary upon the Independent party and their overtures and relations to the King. Newcastle, 14 and 15 November 1646.

250. Sir Robert desires to know Hamilton's advice as to a proposal from Cardinal Mazarin, that 8 or 900 men should be recruited for his (Sir Robert's) regiment, which then would be sent into garrison at Dunkirk. Newcastle, 17 November 1646.

251. Little can be said without repetition. The Prince of Orange has sent a ship of 34 guns to do what the King pleases. It is stated that the Parliament of England is to be adjourned, but "the King thinkes it will not come to passe and does not care though it did." Newcastle, 21 November 1646.

252. The King had seen Hamilton's of the 21, but said nothing in reply. There is a desperate distance between the King's resolution not to allow the Covenant, and the necessity of doing it, or being undone (if at least the help of Scotland be absolutely necessary for his standing); but the writer cannot observe that the King is a whit moved with the knowledge of the necessity of the Covenant to satisfy Scotland. Sir Robert had not been able to show Hamilton's advice about his regiment to the French Ambassador. 24 November 1646.

253. The importance of the letter designed to be sent from the Parliament of Scotland to that of England, has not one serious thought bestowed on it by the King. Sir Robert will try and send Hamilton a copy of the King's message (to Parliament). It does not mention the Covenant. 28 November 1646.

254. The King is not yet resolved to forward his message, though Sir Robert had urged him to do so, but later events may produce riper thoughts. 2 December 1646.

255. The King will probably not send his message until he hears again from Hamilton. The £200,000 for the Scottish army is all told three days ago. There has been no particular treaty with the Inde-

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pendents, and no other ground of satisfaction with their desires but the omission of the Covenant. 4 December 1646.

256. The King is still hesitating as to sending his message, as to which Sir Robert says in general that nothing will move him to leave out his expressions of Episcopacy, or to settle Presbyterian government, and least of all the Covenant. The Ambassador (of France) still presses a full grant of religion. He also states that France, Spain, and Holland have agreed to unite in assisting the King, but Sir Robert smiles at that. 10 December 1646.

257. There is nothing worth writing, and the King is still undecided as to his message. He heard of the particular appointment of the payment of the £200,000, and the march of the Scottish army with "his wonted unmouednesse." 12 December 1646.

258. Recommending a "noble gentleman" who is to renew the motion as to the recruiting of the Scots regiments in France. Sir Robert declines to demand new privileges for the regiment, and is pleased it should be recruited only as a testimony of the affection the Scots bear to France. 15 December 1646.

259. The [French] Ambassador has resolved to send M. de Montreuil to Scotland, to solicit recruits for France, but Sir Robert believes this journey is for a deeper purpose, perhaps a more plausible offer of religion, but nothing of the Covenant; or perhaps as to the King's coming to the Army. 16 December 1646.

260. The Ambassador had told him nothing more of De Montreuil's journey. Sir Robert does not see how the Scottish army can return till resolution is taken as to the King, without strange consequences; nor how it can stay since the conditions are agreed on. 17 December 1646.

261. The writer has nothing to add to his last letters. It is reported that the Queen has done her utmost to have satisfaction given to the Scots, but the Covenant is not to be expected. 19 December 1646.

262. The King has suddenly sent off his message to London, but Sir Robert dare promise, it is not satisfactory to any soul alive. 20 December 1646. [Misdated 23rd December in Camden Society's publication.]

263. Acknowledging Hamilton's letter of 23rd. The guards are, by order, made stricter round the King than formerly. The letter then enters into indefinite conjectures as to the King's message. 27 December 1646.

264. The Parliament of England recommend earnestly the looking to the King's person. Sir Robert regrets that he sees not the end of miseries. M. de Montreuil came to the King, and the writer learns there is a design of declaring on what grounds the King came to the Scottish Army. 29 December 1646.

265. Acknowledging Hamilton's letter of 29th, and is sorry to learn the latter's indisposition. The [French] Ambassador leaves for London on Saturday. He is displeased at the proceedings in Scotland. [31 December 1646.]

266. The money to be paid to the Scottish army is announced to be at York, and Commissioners are to go there to count it. Things go on fast, except the joint resolutions concerning the King. His Majesty has no desire to go to Holmby, he thinks a Scots Guard the safest. 2 January 1647.

267. The writer has much ado to refrain from expostulating as to the proceedings in Scotland. The Scottish Commissioners have, as yet, only delivered their letter of credence. The effect of their arguments, the writer fears, will not be such as is desired. 9 January 1647.

268. Giving a "comfortlesse story" of the result of the interviews between the King and the Scottish Commissioners, which came to nothing definite. The Committee of Estates have offered Sir Robert the regiment which was Lord Gordon's to recruit his regiment in France. 14 January 1647.

269. Last letter of Sir Robert Moray to the Duke of Hamilton, alleging the folly and falseness of the calumny against Sir Robert and his cousin (William Murray). The King will never do, even at Holmby what he refused at Newcastle. 24 January 1647.

5. Papers and letters addressed to WILLIAM EARL OF LANERICK (Lanark) brother of the first Duke of Hamilton, relating to the "ENGAGEMENT," 1648–49.

270. A letter written in cipher (deciphered) addressed to "Lord Lanerick." [This and a large proportion of the following letters and papers, of which the greater number are in cipher, have been printed by the Camden Society, 1880.] That the Queen (Henrietta Maria) believes matters are not far from an agreement between the King and the Scottish Commissioners. She will employ all her efforts to continue and improve this union. 4 January 1647–8.

271. —— to the Earl of Lanrick, also in cipher. The state of business is much the same [in London] as when Lanrick left, only the Parliament is somewhat higher. The writer comments on various members of the House of Commons. 1 February 1647–8.

272. To the Earl of Lanerick. They who desire the restitution of monarchy expect it from his party though others are strong on the other side. 1000*l.* is offered for Sir Marmaduke Langdale. The King and Queen are well. No stone will be left unturned to effect restitution. The more it is stirred the greater will be the honour. London, 1st February 1647–8.

273. "James Fenn" to "Edward Edgar" a letter, partly in cipher, not printed by Camden Society, refers to a proposed treaty with the King. The writer agrees that a new war should be avoided and a compromise rather made. Matters in London continue the same. The resolution of the Scottish convention is looked upon as the "guide starre of the day." Unless there be a general remission of sinnes in Scotland nothing will come of all this seed; wherein even Montrose himself must not be omitted, etc. February 3, 1647–8.

274. To [Lord Lanerick] from "128" that the Commission and Instructions are come from Prince Charles. The writer's funds have failed. London, 8 February 1647–8. [In cipher. Not printed.] There is also a duplicate in nearly similar terms, explaining the hindrance to the writer's meeting his lordship at Edinburgh.

275. To —— from "590, 349, 601," [printed] sending the King's declaration. The Parliament will speak next, which will be a thunderbolt, but the writer hopes such a one as will be more terrible in the report than in effect. There is a report got up to create a new jealousy between the King and Scotland, etc. All hopes from France and

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Holland are fair. Those in London wait to strike when directed. February 8, 1648.

276. To [the Earl of Lanerick] from "282." Commissioners have been sent to Scotland, with instructions which imply the King a prisoner. If a declaration now framing advantage them, his life will not stand in their way. The writer concludes by a declaration that on advance a victory will be easy, as they (the independants) are odious to all men. February 8, 1647–8. [Printed.]

277. To the Earl of Lanerick from "Moungo Murray" [printed] from Paris, where he says all will be in readiness. The Queen and Prince have a deep sense of Lanerick's zeal. Montrose is discontented, and is said to be carrying on a correspondence with the Parliament. Paris, 12th February 1648.

278. To the same from "282," only partially deciphered. That the declaration against the King has passed and will be public in two or three days. The King is well, but what they intend you may judge by their voting the ships for this summer's fleet, etc. 15th February 1647–8.

279. "James Fenn" to "Mr. Edward Edgar." [Not printed.] The chief intelligence is that Ormond has gone into Ireland with approval of the Scottish Parliament. He is a great friend of Digby's, and the writer advises caution. 21st February 1647–8.

280. From "282." [Not printed.] Since his last, the Marquis of Ormond has gone into France, where he may meet Lords Antrim and Muskery as Commissioners from Ireland to settle that kingdom for the King's service. It is said all parties are agreed in Ireland, so the King's party in Scotland will have more help than was expected. Letters from the Queen and Duke of York to the King have been intercepted. York had promised to go into Scotland, but will probably be confined in the Tower or the Isle of Wight. Pembroke Castle still holds out. Ashburnham and his party are as much trusted by his Majesty as ever. 22nd February 1647–8.

281. From "349." [Printed.] Friends are impatient till they hear from Scotland. Whatever may be the reports from France, she will not recede from her engagements. Cromwell and Martin are greater enemies than before. Seven new regiments are being raised, they say, for Ireland, and great preparations are made at sea, perhaps for a landing in Scotland. 22nd February 1648.

282. To [Lord Lanerick] from ——. [Not printed.] "All men my lord, are hereabout at gaze, looking northward for a better setling to theire expectations, and are soe impatient of waiting for your resolves that men undertake to spread them as things allreddy declared." The writer then gives the various reports. He also refers to the declaration against the King, and other general matters. [Marked as received 22nd February.]

283. To the same from the same [printed], expressing gratification at the hopes given from Scotland. Commenting on the declaration made in the House of Commons. He gives various items of news, but these appear in other letters also. 23rd February 1647–8.

284. James Fenne to Edward Edgar [printed] contradicting his former statement (No. 279 supra) that Ormond had gone to Ireland. That he was now in France. The writer refers to the intercepted letters. It is a mistake to suppose that the rebellion of Ireland will

incorporate with the English in Ireland and the Scots in Ireland under Ormond, &c. A long letter. 23rd February 1647–8.

285. From "282" [printed]. The Duke of York's punishment is remitted. The declaration is bitter against Scotland. A large store of warlike material is shipped for the north. Cromwell and Ireton are accused of endeavouring to enslave the people of England. It is also reported that they are afraid of the Scottish advance into England, and intend to court the King, &c. "The last of February 1647–8."

286. To the Earl of Lanerick from . [Printed.] Repeats statements of other letters, as to expectations from Scotland, the terms of the Commons manifesto, &c. The writer complains of want of money. [No date. c. 20th February 1648.]

287. "James Fenn" to "Edward Edgar." [Not printed.] Chiefly uttering warnings against disunion in the party through violent measures. February 1647–8.

288. From "Ed. Andrewes." [Not printed.] The interception of Boswell's letters almost rendered the D[uke of] Y[ork's] escape impossible, at least for a time. He has engaged not to escape, but may be persuaded that a promise given prejudicial to the King and without his father's knowledge is not binding. The promises of certain persons in the city will not be performed without countenance from Scotland. 1st March 1647–8.

289. A letter in cipher, apparently from a Parliamentary source. The correspondent's letter came seasonably to contradict reports as to the invasion of the mutinous Scots, thanks to the wisdom of our powerful army that gives them work at home. If we can be faithful to our pious principles and purge the house and army of malignants, such as Lanerick, we are safe, etc. 3 March.

290. Letter in the handwriting of "282," who hopes that Lanerick has overcome the difficulties the Church party gives them. The Queen and Prince are preparing to quit France. They will receive no hindrance. Ireland is reported to be lost to the Parliament. The writer then comments on various incidents of the time. He concludes that if the Scottish clergy oppose Lanerick's intentions they will be guilty of war and division. 7th March [1648].

291. From "409." That he has Lanerick's letters to the King and will answer shortly. He doubts not, if his designs fail not, the King will make his escape and join his friends. The writer has ordered the business so well, none but the King himself can hinder it. 7th March 1647–8.

292. From ——. [Printed.] Letters from the English Commissioners and others as to the Church divisions in Scotland which abate the affection of London and the King's party, and there is a danger of friends abandoning the cause. He wonders at the conduct of the Marquis of Argyll, &c. [7th March 1648.]

293. From "349." [Printed.] Is sorry to learn there is opposition in Scotland, as it will be fomented. There is a universal readiness in the West (of England) and a design to make sure of Warwick Castle. There are also assurance of raising 300 horse and 1,500 foot, "but all these must stand for risers til you sett the figure befor them." [This sentence is misread in the Camden Society's publication, p. 166.] The King will shortly attempt his escape, &c. 7th March 1647–8.

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294. From Lord Byron. [Printed.] Has been negotiating, and doubts not that when the Scottish army enters England, Lancashire, Cheshire, and North Wales will declare for the King. Has also laid designs for surprising Nottingham Castle and Oxford. The Scottish army should send a declaration before them to prevent jealousies, &c. 10th March 1647–8.

295. From "James Fenn." Of no great importance, chiefly relating to the Prince of Wales, who will not be ready for six weeks. The Queen's Councillors are divided in opinion, two of them opposing the Prince's journey to Scotland. 12th March 1647–8. [Not printed.]

296. From Lord Byron [printed] that he has got a commission from the Prince of Wales to command in the West of England, and is to receive directions from the Lords Commissioners of Scotland. 18th March 1647–8.

297. From "282, 333." [Printed.] The Houses of Parliament have been showing a desire for their own preservation. Many members are preparing to travel. Pembroke Castle still holds out, &c. with other items of news. 21st March 1647–8.

298. From Moungo Murray. [Not printed.] The ships which should have been in Scotland six weeks ago are turned into one which came to Dieppe six days ago. She is to go to Scotland with Sir William (Fleming). The Queen and Prince are more cheerful, and the latter is bent on going to Scotland. The Irish make great offers and would have the Prince there. A reconciliation between the King and the Parliament is attempted, and if the Scottish army enter England, the King will be brought forward to deceive the people, &c. 25th March 1648.

299. From . Desiring that Lord Lanerick will give orders that the Scottish forces in Ireland do not give such security to Owen O'Neil, as to allow him to draw his troops towards the South of Ireland, to molest the well-affected Irish there. O'Neil is jealous of them, and may draw his forces towards them, which will interrupt the King's service, if not provided against. The Queen and Prince have confidence in Lanerick and the Duke of Hamilton, though some would do them prejudice. 25th March 1648. [Deciphered, not printed.] On the same paper is another deciphered letter, in which the writer, who describes himself as His Majesty's Governor of Ireland, desires orders to be sent to the Scottish army and garrisons there to obey him, that he may not be forced to delay his going over for want of encouragement, &c. Date 17th March 1648.

300. From "282" [printed] giving an account of the negotiations between the City of London and the Parliament. A sally out of Pembroke Castle had put the besiegers to flight, and the fear of Scotland prevented the English army being sent against it. The writer refers to the dissatisfaction with the Parliament in various parts of England. Lord Inchiquin had written from Ireland blaming them for the blood spilt. In France the Prince is ready for action, &c. 28th March 1648.

301. From "624 : 143." [Printed.] The difficulty of effecting the King's escape is increased, yet some hopes remain of carrying it out. The city of London is endeavouring to reconcile the Presbyterian and Independent parties. 28th March 1648.

302. From ——. [Printed.] The delays caused in Scotland by the Clergy and other causes make the Royalists despair; the Presby-

terian party in England begin to express their fears. The general scope of the letter is that it will be impossible for long to keep the party in good humour. London, 4th April 1648.

303. From "282." [Printed.] He cannot add much to his last. There are proposals for a treaty with the King to detach him from the Scottish interest. It is reported that the King will be frightened, a way apparently made for his escape, therein to destroy him. 4th April 1648.

304. From "C. D." [Printed.] The divisions in Scotland cause diversities of opinion in England. The writer will meet Lauderdale in France if he knew when he would land there. 10th April [1648].

305. From . [Printed.] The writer has received a letter from the King, who is impatient of the long delays in Scotland. It is hoped the King will be able to escape; he has four servants about him engaged to this, and other means for carrying out the design. The writer endeavours to keep Colonel Hammond in good opinion with Scotland. London, 11 April 1648.

306. From "282." [Printed.] Is glad to learn Lanerick is to act without the Scottish clergy. Celerity now is needful. Part of the army may be drawn into the city, but that may help the Scottish advance, &c. 11 April 1648.

307. From ——. [Printed.] Lanerick's express was welcome and seasonable. The Independents had begun to be insolent, and had drawn near to the city about 6,000 men, but were deterred by the success of Poyer, Powell, and Butler, who had now 4,000 [misread in print "40,000"] in arms, resolved to oppose all sent into Wales without authority from King or Prince. The general burden of the letter is that the Scottish army should march as soon as possible. London, 18 April 1648.

308. From Moungo Murray. [Printed.] They grow impatient (at St. Germains) and think that the backwardness of Scotland will lose their end. He refers to various meetings held. "Ther ar mane that wolde rather the King shoulde perisch then the Scotes to be his restorers." [This sentence is misread in the Camden Society publication, p. 186.] Mr. Ashburnham is again treating with Cromwell, but it is half treason to speak of it and so to say that "hei hes or can doe ane thinge amis." Montrose had left without taking leave, and is in Brussels. He is discontented, as the Queen and Prince would not follow his projects. He keeps up a correspondence with Cromwell. St. Germains, 18 April 1648.

309. From "282." [Printed.] Referring to the disturbance at Oxford, and Lord Inchiquin's revolt in Ireland. It was proposed to sell the King's rich hangings in the Tower, but the motion was negatived. Poyer and Powell have mustered about 8,000 in Wales. Some regiments are to be drawn together against them, &c. 18th April 1648.

310. From "499." [Printed.] He has forwarded Lanerick's letters to the King and Queen, but is afraid for his messenger, for the Duke of York's escape has caused a strict search. The Duke has gone to Holland. This will obstruct the King's escape. 24th April [1648].

311. From "282." [Printed.] Is gratified by the assurances from Scotland. Affairs in England are prosperous. The Welsh still keep ground and gain on their enemies. The Governor of Cardiff wavers,

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and the Navy is discontented. A petition from Essex is to be presented for a personal treaty (with the King) and disbanding the army, &c. The Duke of York has escaped. 25 April 1648.

312. From ——. [Printed.] He had written to Lord Lauderdale. He fears the Moderates more than the Levellers. Argyll's designs are dangerous. If Lanerick's friends be not wise, the King is ruined, &c. 28 April [1648]. This letter is printed by the Camden Society as from Lord Byron, but it is not in his writing.

313. From —— [printed], giving an account of the debate in the Commons as to the settlement of religion and the government. Their grand design is to take away occasion for the coming of the Scottish army. Had the Scots come in betimes with a united force, matters might have been settled. 28 April 1648.

314. From the same. [Printed.] The King's design of escaping is still hopeful, though some persons about the King have been removed. It is believed the Parliament will send assistance to Argyll to oppose King's party, if despatch be not used. 28 April 1648.

315. From Thomas Howton [not printed], stating that there are about six score officers and gentlemen mounted and about one hundred on foot gathered in Berwick. They make use of the townsmen for ordinary guards, but place confidants of their own in all places of consequence, for which they rely upon themselves, and are prepared to be in readiness on all occasions. They want arms exceedingly. Berwick, 30 April 1648.

316. Letter in the handwriting of "C. D.," No. 304 *supra*. [Printed.] Commiserating the struggles of Lanerick's party in Scotland. The King's constancy must make their opponents blush for shame. That there has been an excellent disposition in the whole kingdom to receive the Scottish army. Urging dispatch in their movements. 30 April 1648.

317. Letter, not dated, but apparently about March 1648. Deciphered as from "Fraser," probably Dr. Alexander Fraser. [Printed by the Camden Society as from Lord Fraser, but he was not a royalist.] He refers to the Prince of Wales, who is willing to go along with the Scottish councils. Inchiquin and Ormond in Ireland are agreed. Urging dispatch on the part of the Scottish army. Sir Marmaduke Langdale hath a number of Parliamentary horse ready to come in to him on the Scottish march into England, &c.

318. Letter, not dated, but written apparently about the middle of April 1648 [printed] referring to the mission of Mr. Marshall (believed to be an emissary of Argyll), also to the declaration for the King by Lord Inchiquin and others in Ireland. He tells the story of Prince Rupert's duel with Lord Percy, &c.

319. From ——. [Printed.] Langhorne's late success in Wales, &c. has moved Sir Thomas Fairfax, or rather Cromwell, to write to the Parliament to withdraw the troops from the city (which is to be desired to guard the Parliament) with the intention of marching into Wales to suppress the royalists. The news of Berwick being in the hands of the Cavaliers [No. 315 *supra*.] perplexes the Parliament. It is believed that Fairfax and Cromwell mean to march northward and prevent the advance of the Scots. 2 May 1648.

320. From the same writer. [Printed.] The English Parliament and army are resolved to foment the divisions in Scotland, in the hope

that Argyll will declare and act against the royalist party. A breach is expected between the Cromwellians and Levellers in England. A strong force has been sent to suppress the royalists in Wales, who declared too soon in hope of assistance from Scotland. 4th May 1648.

321. From the same writer. [Printed.] The House of Commons labours to perpetuate the Scottish dissentions by proposing a mock treaty with the King, &c. to hinder the conscription of the Scottish army, and its march to England, that the English army may have time to suppress the Welsh. The writer concludes that the security of the King, monarchy, and peace of the two nations consists in the power and affection of the Scottish army with the King's friends in England, &c. London, 9th May.

322. From "282." [Not printed.] Their friends in Wales are still prosperous, having taken Cardiff. North Wales also intends to join. Lord Byron is reported to be on foot in Lancashire, intending to assist the Welsh. Cromwell had advanced as far as Abingdon with 5,000 horse and foot, and nine pieces of artillery, but it is reported that his forces have mutinied. He refers to other advantages gained by the royalists. He also gives a sketch of debates in the House of Commons. He urges speed on the part of the Scots. 9th May 1648.

323. From the same. [Not printed.] There are reports from Wales of a victory gained by Horton over the Welsh, but it is not confirmed. Cardiff has not yet been taken, as stated in his last. Cromwell is besieging Chepstow Castle. It is reported that he writes for an increase of force because Langhorne is very strong. The Surrey petition was brought to the Houses by 3,000 men on horseback, and Kent and Sussex are preparing others (in terms similar to the Scottish demands). The General (Fairfax) is to march against the Scots, Cromwell to overawe the West, Ireton to deal with London, etc. 16 May 1648.

324. From ———. [Printed]. Langhorne again begins to assume force and vigour. The victory gained by Horton inferior to what is reported. The presenting of the Surrey petition led to a quarrel between the soldiers and country men. If the Scottish army once appear, the Independents' kingdom will soon terminate. The King is very merry. The writer's house was searched, and himself committed to prison, etc. London, 17 May 1648.

325. From "189" [printed], referring to negotiations with C[aptain] B[atten] and others as to the fleet and the seamen assisting the King's escape. 23 May 1648.

326. From ——— [Printed.] The writer's commitment on 16th May [No. 324 supra] deprived him of information. The welcome letters from Scotland were despatched to all comers, for the late victory in Wales had made the Independents insolent. Argyll labours to persuade the Presbyterians and Independents that he can retard any power the Royalists have in Scotland. Till the Scottish army arrive in England, it will be impossible to raise any considerable sum in London. The writer hopes in a few days to pass to France, London being too hot for him, etc. No date.

327. From the same writer [printed], much in the same terms as the foregoing, in regard to the Marquis of Argyll. Seizure of Argyll's person is recommended, or the sudden advance of the Scottish army into England. London, 27 May 1648.

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328. From the same [printed], written before taking horse for France to his master. Kent has risen and declared against the Parliament. All affairs will be quickly ruined if the Scots do not advance. London, 30 May 1648.

329. Letter signed "A. M," addressed to Sir Robert Strickland, Knight, informing him that 800 of Cromwell's horse had come into Lancashire, and that Colonel Riggby and Colonel Doding had undertaken to raise him 2,000 foot. General Lambert is to meet them on "Bentam more." They are to march into Westmoreland, fall upon the royalists, and plunder the country as they go. The Royalist forces in Wales had been routed, otherwise Cromwell's horse had not come into Lancashire. Fairfax, Cromwell and Lambert can bring 40,000 men into the field. 2 June [1648].

330. Letter in handwriting of "Moungo Murray." [Printed.] The Queen had declared her intentions of sending the Prince of Wales into Holland. He greatly desired to be in Scotland, but will not be suffered to be so, except of necessity. The Royalists in Scotland will need to make themselves strong in numbers, and in affection amongst themselves, etc. 3 June 1648. From Paris.

331. From J. Thomson to William Black, at the Earl of Lanerick's lodgings, etc. [printed], enclosing a letter from Mr. Howton, and stating that a party for the King had seized Pontefract Castle; this being confirmed by one of the enemy's scouts captured near Barnard Castle. Carlisle, 7 June 1648.

332. From the same to the same, giving a detailed account of the stratagem by which the Royalists took Pontefract Castle. [Printed.] Carlisle, 9 June [1648].

333. From Sir Marmaduke Langdale to [Lord Lanerick]. (Printed.) That the enemy press them hard. They have drawn near Carlisle and have kept from engaging, but they ask speedy assistance. The enemy is at Penrith, with 2,000 horse and 1,500 foot, and 500 newly raised coming from Northumberland. "In the field before Carlisle," 11 June 1648.

334. From "282." [Printed.] Is glad Lanerick has frustrated the zealots. It remains that he be quick in motion. Kent had been forced to lay down arms, but about 5,000 horse and foot had gathered in Essex. The Parliamentary forces only amounted to 8,000 horse and foot. The navy is still firm to their undertakings (for the King) and the Mount in Cornwall has been surprised by the Cornish men. 13 June 1648.

335. From Sir Philip Musgrave. [Printed.] Informing Lord Lanerick that Sir Marmaduke Langdale is now without the walls (of Carlisle), with his forces drawn into "battalia." The enemy have advanced within a mile of the town. They cannot do much harm to the royalists without great hazard, but the writer and Sir Marmaduke desire speedy assistance. Carlisle, 14 June 1648.

336. From "559, 554, 244." [Printed.] Sent to Lord Lanerick with Sir William Fleming, chiefly cautioning his lordship as to the effect of withdrawing the Scottish army from Ireland. Paris, 14 June 1648.

337. From "282." [Printed.] Had not received letters from Scotland. On the date of his last [No. 334 supra] a fight took place between the royalists at Colchester and Lord Fairfax, in which the former had the advantage, etc. 20 June 1648.

338. From Sir Marmaduke Langdale and Sir Philip Musgrave. [Printed.] That the enemy had marched from Penrith to Rose Castle, where they now quarter, having stormed the place. About 1,500 of the enemy are at Penrith, and if these forces join they will prevent the royalists procuring forage for the horses. This is a matter of such consequence that the writers beg some relief of troops to keep the country open. Carlisle, 24 June 1648.

339. "James Fenne" to "Edward Edgar." England will be lost unless the Scots army presently advance, as Essex or Wales cannot otherwise hold out. France, Lord Jermyn and the Parliament of England are leagued to obstruct the movements of the Prince of Wales, etc. 24 June 1648.

340. Letter in handwriting of "Moungo Murray." [Printed.] It had been reported that Fairfax was totally routed. There had been whispers that the Duke (of Hamilton) had laid down his commission. The writer had shown Lanerick's noble letter, and what difficulties he was in. The Prince's journey is put off, etc. 24th June 1648.

341. From ——. [Printed.] That he and another had been necessitated to make a letter as from Lanerick, the Duke of Hamilton and Lauderdale which had been sent to Captain Batten as a "general ciuilitie" from them. The ships are likely soon to be in motion. Batten is sure that the ships that are at Portsmouth will follow him. The city and the fleet must go together, and if there be a good agreement between the Scots and the fleet, the former will have assistance from the city. The writer asks pardon for his offence. 24 June 1648.

342. Sir William Bellenden to the Earl of Lanerick. [Printed.] There is constant diligence (at the Hague) for supplying arms and ammunition. He is hindered by the malice of some. If once he can make it appear that the Scottish army has entered England, his negotiation will go more smoothly on. The twelve ships that have declared for the King have startled the States (of Holland) in their resolutions. Eleven of the twelve ships are at the Hague with Commissioners from Kent, who desire the Duke of York to go with them. Sir William hopes that ere long a declaration may be made on behalf of the King and Covenant, etc. The Hague, 25 June 1648.

343. From "H." to the Same. [Printed.] The first part of the letter apparently refers to the King. The seamen are to petition on behalf of the King as to a personal treaty. It is believed he will shortly be removed and a treaty assumed, etc. 27 June 1648.

344. Petition by the principal members of the Clan of Mackenzie to the Duke of Hamilton. "May it pleas your Grace. Wee quho are the Earle of Seafortis kinsmen and freindis ar necessitat to represent vnto your Grace our trew conditioun least misinformatioun should prewaill in our prejudice as men vnvilling to geve obedience to publique ordinances Wee ar most willing to doe the dewtie incumbent to ws as obedient subjectis Bot our cheiff being debarred from employment and ane wther being appoynted to command his following, bothe my lordis owne commonis and ouris bothe ar so displeased, that althoughe all rigour be vsed against them they will abyde all befoir they follow or be commanded be anie bot thair native superiour Quhairfoire wee humblie intreat your Grace to tak the samyne to your consideratioun and as your Grace wes pleased to show your love and affectione to our cheiffs unquhile brother, befreind him so at this tyme, that he may be

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enabled to doe his countrey his native King and your Grace all the service he can, quhich will be ane meane to bring furthe his followaris without difficultie and encouradge ws to embrace all opportunities by the quhich wee may testifie our affectioun to religioun, king and kingdome and to besturre our selffis as ycur Grace most obedient and humble servandis." [Here follow twenty-four signatures of the most prominent Mackenzies, and others.] Dated at Chanonrie, 29 June 1648.

345. A letter from the Earl of Seaforth to the Duke of Hamilton. That though his private affairs urge his return to Edinburgh, yet as the clergy and many gentlemen are endeavouring to obstruct the present service he has repaired home, resolving to his uttermost to disappoint their designs, for "I rather expose all that concerns me to hazard befor your Grace should conceaue that I did not cordialie wedde the interest of religioun king and kingdome." He will not promise much being able only to act privately and not publicly, but he remits to Hamilton's consideration how to make him useful in some measure. Dundee, 29 June 1648.

346. Letter. Sir Marmaduke Langdale to the Earl of Lanerick. [Printed.] That the enemy had retreated from Stanwick, apparently on a report that the Scots were advancing. He concludes by an urgent appeal for assistance and a request for powder. Carlisle, 30 June 1648.

347. Letter in handwriting of Moungo Murray. [Printed.] As he had not received letters he had been afraid for Lanerick's safety. It is reported that the ministers are as "hay" (high, misprinted by the Camden Society as "lazy") as ever, and retard the noble work of the royalists. The Prince (of Wales) is resolved to go unless he be stayed by force, etc. 1st July [1648].

348. Letter. [Printed.] C. Brandling and W. Blaxton to the Earl of Lanerick, informing him of a defeat sustained by a party of the royalists, but they trust to meet him with a good body of horse. Berwick, 1st July 1648.

349. Letter, signed by "Benja. Clerke Maior" and other citizens of Berwick, begging, in view of their surrendering the Town to the Scots, an answer to certain queries, identical with those made to the Parliamentary forces on a similar occasion. Berwick, 3 July 1648.

350. Letter from Charles Brandling and other royalists seconding the request of the preceding letter. Berwick, 3 July 1648.

351. Draft letter, dated Edinburgh, 3 July 1648, requiring the recipient in terms of the King's pleasure and his engagement to deliver up the towns of Berwick and Carlisle to the person appointed by the Duke of Hamilton, Lord General.

352. From Charles Brandling to the Earl of Lanerick [printed], giving a further account of their losses. He states also the strength of the garrison at Berwick, and that the town will be purged of the disaffected. 4 July 1648.

353. Draft letter, apparently from Lauderdale and Lanerick, to ——, that they had received his letter of a month ago, and if the arms and ammunition promised from France be not speedily sent they will be of no use, for on this date, a great part of the Scottish army is to rendezvous on Annan moor, and next day or the day after, to march into England. They beg their agent to procure arms, &c. with all possible

speed from Holland, when they will owe the Prince of Orange a greater obligation. They also urge a plea for shipping. Edinburgh, 4 July 1648.

354. Letter in handwriting of Moungo Murray [not printed], only partly deciphered. The portions not in cipher state that the Prince goes from where the writer is on Thursday, and will be with the Prince de Conde's brother, whose house lies on the way to Calais. The ships and all the King's Councillors who are in France are to meet the Prince at Calais. Prince Rupert goes with him and is to continue General as before. 6 July 1648.

355. Sir William Bellenden to the Earl of Lanerick. [Printed.] Has been sent to Amsterdam for the final despatch of his desires as to arms, ammunition, etc. Hopes he will be successful, but the truth is Dr. Goff has obstructed the business, and there is on the part of the King's men such a jealousy of the Scots, that no relief can be so unwelcome as their assistance, and there was great joy, when Kent and Essex rose, that the business could be done without the Scots. He hopes that matters may be settled for the interest of Scotland. Lord Willoughby of Parham is appointed by the Prince as Vice-Admiral, who is to send a ship to Scotland as soon as he puts to sea, etc. The writer dwells on the comparative indifference of the Prince of Orange and the States, to the distressed condition of the English King and country, but he hopes a treaty may be arranged. Amsterdam, 9 July 1648.

356. Short letter from the Earl of Derby [printed], expressing his readiness to serve under the Duke of Hamilton. 13 July 1648.

357. Instructions signed by the Prince of Wales, given to William Murray, 25 July 1648. [Not printed.] (1.) He is to repair to the Scottish army, and deliver certain letters from the Queen and Prince. (2.) He is to explain to Duke Hamilton and the others, the reason of not sending the arms, etc. in time, and the failure of other supplies. (3.) To explain the Prince's long stay at St. Germains, &c. (4.) That he impatiently waits the addresses and assurances to be sent from them. (5.) To assure them he will to the best of his power, protect the ships, merchandise and trading of Scotland.

358. Letter from the Prince [printed], addressed to the Duke of Hamilton and others, that he expects their Commissioners, and intends to remain on board the fleet, as the best means of opposing the common enemy. Accrediting Mr. William Murray. At "Helford Sluce" (Hellevoetsluis), 26 July [1648].

359. Draft or rough copy [printed] of the Instructions from the Committee of Estates to the Earl of Lauderdale. First to represent to the Prince of Wales the difficulties the Parliament have had in carrying out the engagement, yet that an army has marched into England; to invite the Prince to Scotland, but forbidding him to bring the Earls of Crawford or Montrose, Viscount Aboyne, or others named, in his train. His Highness is also to use the Presbyterian form of worship, etc. Second, to represent to the Prince of Orange the necessity and grounds of the engagement; purchase arms, etc., and crave the aid of the three Scots regiments in Holland; also treat with the States. Third, deliver letters to the Queen, etc.

360. Copies of the Declarations made by the Committee of Estates and others. 1648.

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361. From the Earl of Lauderdale [printed], giving a lively account of his adventures in search of the Prince of Wales; his arrival on the coast of Holland, where he was obliged to bridle his curiosity which was great to see the country, and content himself with a sight of the steeples, as the Prince had left. He at last found his Highness with the fleet in the Downs. He has had no hearing, but civilities. He gives some items of news, and states that Lord Middlesex and two others had gone to the King to offer him a treaty with honour, freedom, and safety in the Isle of Wight, which Lauderdale characterises as "a Bull" [lie]. The Downs, 10 August 1648.

362. Draft letter [printed], the Earl of Lauderdale to the Prince of Wales, detailing his instructions as in No. 359 supra, from the Committee of Estates. Downs, 16 August 1648.

363. Declaration [printed], signed by the Prince of Wales, in answer to the first part of the instructions, that he intends to repair to the Committee's army in England as soon as may be. 16 August 1648.

364. Another declaration [printed], signed by the Prince, consenting again to join the Scots army, by way of Holland; also consenting, while in Scotland or with the Scots army, to use the form of worship established in Scotland. 17 August 1648.

365. Draft, Earl of Lauderdale to the Prince of Wales [printed], desiring that some of the ships with his Highness may be allowed to wait on the coasts of Scotland, under the orders of the Committee of Estates and Duke of Hamilton. The Downs, 17 August 1648.

366. Draft, the same to the same [printed], representing the desire of the Committee of Estates that the Prince should not bring with him to Scotland the Marquis of Montrose or others named. 18 August 1648.

367. Answer [printed] by the Prince to Lauderdale's letter of 17th, promising that ships shall be sent as desired. 19th August 1648.

368. Answer [printed] to Lauderdale's letter of 18th, promising that the Prince will not bring with him any of the persons named. 19th August 1648.

369. The Earl of Lauderdale to the Earl of Lanerick [printed]. A long letter, giving an account of his various interviews with the Prince of Wales, with whom he spoke often in private, and whom he found as good and earnest to be with the Scots as possible. He frets at the delay necessary in going by Holland. He desired Lauderdale to remain with him, though pleased at his intended mission to France and Holland; but Sir Robert Moray was commanded to undertake that. Lauderdale thinks the Prince will land at Berwick, etc. The Downs, 19th August 1648.

370. Another letter, the same to the same [printed], referring to his previous letter. With calm behaviour he got what he desired. It was argued against him that the King had commanded the Prince not to exceed his concessions as to religion. This Lauderdale evaded, but it showed he would not gain more in religion from the Prince. It is greatly desired that Prince Rupert may have leave to wait on the Prince of Wales. As to Digby and Montrose, they were not very acceptable at Court. 20 August 1648.

371. The Earl of Lauderdale to James Duke of Hamilton [printed], referring to his letters to Lord Lanerick. He speaks favourably of Lord Willoughby's honesty and good affections. He sends also copies

of the Prince's answers to the Committee, which he hopes will be satisfactory. The Prince is very earnest that the restraint should be taken off Prince Rupert. The Downs, 20 August 1648.

372. The same to the Earl of Calendar. [Printed.] Refers to Lauderdale's other letters, and repeats the Prince's request as to Prince Rupert. The Downs, 20 August 1648.

373. The same to [the Committee of Estates], sending them the Prince's answers to their desires. The Prince means to come to Berwick and join the Scottish army from there. The Downs, 21 August 1648. [Printed.]

374. The same to the Earl of Lanerick. [Printed.] Had waited for the Prince's letter, which has been delayed. The whole fleet must now go with the Prince to Holland for victuals. 21 August 1648.

375. Copy Articles of Surrender agreed upon betwixt Colonels Lockhart, Foulis, and Turner, on behalf of the Duke of Hamilton, and Colonel Lilburn and others on behalf of Major-General Lambert, at Uttoxeter, 25 August 1648. [These articles are printed at length by Bishop Burnet, Memoirs, p. 364, and the chief condition is that the Duke, his officers and soldiers, should render themselves prisoners of war, with all treasure and plate in the Scottish army.]

376. Notes of the proceedings in the trial and defence of James Duke of Hamilton before the High Court of Justice in Westminster Hall. 9th February to March 6th, 1649.

377. Letter. James Duke of Hamilton to his brother the Earl of Lanrick, written the day before his execution. [Printed by Burnet, p. 397.] That it has pleased God so to dispose of him that he is to be in the world only a few hours. Begging his brother to be a father to his children; to pay his debts. Recommending his servants to Lanerick's care, and concluding with loving wishes. Signed "Your most louing brother Hamilton." 8 March 1648 [1649].

378. Letter written by the Duke to his brother while on his way to execution. [Burnet, p. 400.] "Brother, ther is nothing more sertan then that a fathful seruant is ane humble freind; this beirer I haue found such and therfor recommends him to you in that quality. I neid say no more for him nor can I of wordly busines being so neire parting out of it bot as I haue loued you all my lyfe so doe I now at the ending of it so the Lord of his mersie preserfe you frome dangers of soule and body. Yours, H."

379. Enclosed in the above is a scrap of paper, which, Burnet says (p. 379), was written upon with lemon juice, and sent by the Duke as a warning to his brother. "I vnder power of the sword and merciles men, no fauor to be expected, oft examined, but nothing discouered, perhaps you will abide the same triall beware if you" [do]. This is not in the Duke's handwriting, but was probably dictated about the time of his trial, or before it.

380. Print. "A true and perfect Copie of a Speech Deliuered by James Duke of Hamilton in the Chamber at St. James on the 9 of March that morning before he suffered," etc. "Hage. Printed by Samuell Brown English Bookseller, Dwelling in the Achter-om at the signe of the English Printing house. Anno M. DC. XLIX." [*See also* Burnet, pp. 398–400.]

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6. Letters of the time of William Earl of Lanark, Second Duke of Hamilton. 1649–1651.

381. Letter from "Ja. Sibbald" [Dr. Sibbald, who attended James Duke of Hamilton on the scaffold,] to [William] Duke of Hamilton. That he was bound not only by duty but by a faithful promise to the late Duke, to signify to his lordship the few things he was entrusted with, but the frequent and dangerous miscarriage of sundry addresses of that kind had restrained him, until he met with the bearer of this, by whom he has sent a message, that when he meets the Duke, he will discharge his trust, etc. London, 5 May 1649.

382. Draft letter from Duke William, while still Earl of Lanerick, to John Earl of Loudoun, Chancellor of Scotland. [Printed by Burnet, pp. 377, 378.] Remonstrating that although he had been confined unjustly by order of the Committee of Estates, and had submitted, he had learned that at a private Committee it was resolved to commit him and deprive him of the little liberty he had; for those who had acted against his brother and other noble persons were not satisfied. He declares that he is forced to seek shelter abroad. He desires to preserve his loyalty, and trusts it may yet fix the crown upon the head of the King, etc. Dirleton, 25 January 1649. [Five days before the death of King Charles the First.]

383. Letter, Sir Marmaduke Langdale to William Duke of Hamilton. The common calamity had prevented the writer presenting his duty to His Majesty (Charles II.), and his service to the Duke, whose gallant expressions of heroic disposition it has comforted the writer to read. He is sorry to learn from the Duke's letter that he is not accepted as an adviser, "now when counsells are more nedefull then armies." He concludes with many compliments, and believes the Duke will be a "faithfull revenger" of "the murder of our kinge and freindes," in which the writer will assist. Gaunt (Ghent), 6th June 1649.

384. Letter from Lord Jermyn, dated Paris, 9th April [1649 ?] chiefly complimentary and with professions of service.

385. From Queen Henrietta Maria to the Duke of Hamilton. "St. Germains ce 22 Jully 1649. Mon cousin jay reseu vne de vos lettres par Moubray par ou je vois la continuation de la passion que vous aues pour le seruice du Roy comme aussy ceque man a dit Jermin de me part sy il estoit besoing de vous encourager de vouloir y continuer je le ferois mais vos actions font voir que il nan est point de besoing. Il y a sy peu de jours que le Roy est ariue ysy que je ne puis encore vous rien mander de particulier mais a la premiere occation vous ores de mes nouuelles plus emplement en atandant je vous prie de croyre que je resois comme je dois les temoygnages que vous me randes de votre affection et que je rechercheray les occations de vous faire paroistre que je suis veritablement, Mon cousin, votre bien bonne et affectionee cousine et amie Henriette Marie R." [Sealed with black wax and black floss silk, and addressed "Mon cousin le Duc de Hamilton."]

386. Letter from Lady Denbigh, mother-in-law of James Duke of Hamilton, to Duke William. "My Lord, I haue bene in much ioy amonst my just greefes of seeing your grase heare but being depriued of that hapines your Lordships gaue me great satisfaction both of the contenuance [of] your fauer to me and the nuse of my deare grandchildren being recouered for I haue been in great trubel in not hearing from them sence ther inrecou[e]rabel lose but it is a great blesing to

them in hauing so good a honckell that hath so true a sence of ther misfortunes and it is much contentment to me that they are with my La[dy] Duchis who I am confident wil haue a care of them in your absence and I have only this to beg the fauer of hearing from them as ofton as ocasion wil parmet for we are depriued of hearing any other way and I shal desire you to doue me that right as to beleeue ther shal be nothing ometed wherein I may sarue you and make testimony how much I am, My Lord, your Grasies humbel saruant Su. Denbigh. "Sint Jarmons the 22 of iuly 1649."

387. Official letter by King Charles the Second, conferring the order of the Garter upon William Duke of Hamilton, dispensing with the usual ceremonies, but authorising him to wear the insignia of the order. At Castle Elizabeth in Jersey,—January 1649–50.

388. Letter, autograph of the King, intimating that he sends the Garter, and that he intends shortly to be at Breda for a new treaty with his Scottish subjects. Jersey $\frac{12}{2}$, February 1649–50. [Printed by the Camden Society, 1880.]

389. Letter from Queen Henrietta Maria. "Paris ce 27 Mars 1650. Mon Cousin jay estte bien ayse de sette occation de ce jantilhomme pour vous assurer que jay toujours lestime pour vous de quoy je vous ay fait profession, mais nayant point de moyens de le vous temoygner je crains que vous pusies croyre le contraire : se nest nullement faulte de volante mais de pouuoir qui en est la cause : ce que je vous prie de croyre comme vne tres grande verite : jespere que dans le traite auec les Escossois vous asisteres le Roy de vous conseills il ma temoygne le desirer et moy je le soueste (souhaite) congnoisant comme je fais lafection que vous aues pour tout ses interest : sest vne afaire de telle consequance que le Roy a besoing de ladvis de ces bons et fidelles seruiteurs sest ce que me fait vous conjurer dans sette occation de lassister ce que je ne fais point de doute vous ne fasies de votre inclination : mais je nay peu manpecher de vous en escrire non obstant : et en mesme tamps vous confirmer que je suis veritablement, Mon cousin, votre bien bonne et affectionnee cousine Henriette Marie R."

390. Minute of meeting of a Privy Council held in the Castle of Breda. 7th April 1650, recording that William Duke of Hamilton was sworn one of his Majesty's Privy Council and took his seat at the Council Board.

391. Letter from Queen Henrietta Maria. "Paris ce 9 April 1650. Mon cousin je ne crois pas auoir rien obmis quant je me suis trouue a Beauuais aupres du Roy mon fils qui pouuoit despandre de mes soings pour assurer la bonne ysuee du traite de quoy il sagit asteure (a cette heure) a Breda : pourtant je nay seu me contanter dans l'importance que je vois pour lun et lautre coste de saccomoder sens adjouster encore mes derniers offices jay envoye Sieur Jhon Barkclay au Roy mon fils pour sette effect et lay instruit de tout ce qui me pouuoit tomber dans lesprit capable de aduancer vne chose que je desire tant et que j estime sy nessesaire : je lay commande de vous voir de ma part et de vous entretenir amplement de tout ce que jaurois a vous dire sur ce subject vous le croyres et particulierement en les assurances qui vous donnera que je suis auec toute lestime de quoy je vous ay fait proffesion pour votre personne veritablement, Mon cousin, votre bien affectionee cousine Henriette Marie R."

392. An autograph letter from King Charles the Second, that he is concerned about the "ridgedness" of the Kirk and State to the Duke

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of Hamilton and wishes to know if he can do anything to lessen their severity. Also bidding the Duke inform the King's friends that he is very sensible of their sufferings, and he is grieved he is not in a better condition to let them see it. Signed "Your most affectionate frinde Charles R." Falkland, 17 July [1650]. [This and the four following letters are printed in the Camden Society's publication 1880.]

393. The same to the same [printed], excusing delay in writing as he had been with the army and had been so narrowly watched since that he could not write. The soldiers were so kind to him the first day that on the next he was desired to retire from the army under pretence of personal safety, but really lest he should gain too great interest with the soldiers, etc. 6 August [1650].

394. A short note, the same to the same [printed], accrediting the bearer. 14 August [1650].

395. The same to the same [printed], partly in cipher, not deciphered, thanking the Duke for his offer of service, but not accepting it. 31 August [1650].

396. The same to the same [printed], chiefly in cipher, but begging the Duke to have a great care of himself lest their "masters" shou'd have some design against his person. 27 September [1650].

Additional Correspondence recently discovered.

Among the papers discovered at Hamilton since this report was prepared, as narrated on page 202 *infra*, the following letters have been found which are worthy of a special notice.

The first is a brief epistle by Henry Prince of Wales, eldest son of King James the Sixth, whose death, in 1612, at the early age of 18, was much lamented by the nation. The person to whom the letter was addressed is unknown, and the circumstances under which it was written cannot be ascertained. Apparently, however, the recipient had asked some favour which the Prince found some difficulty in obtaining. The date of the letter, which is written in a very neat hand, must be towards the close of the Prince's life.

The second letter was written by King Charles the First, entirely with his own hand, to William Douglas, first Marquis of Douglas, who was one of his most faithful adherents. The terms of this letter are identical, excepting in one important phrase, with those of a letter of same date to another active Scottish Royalist, the Earl of Nithsdale [printed in "The Book of Carlaverock," vol. II. p. 15.] In the letter to the Marquis of Douglas, the King writes to Douglas to look to himself, as the writer cannot warrant him from "The insolencie of the couenanting rebelles" beyond the 13th of the next month, April 1640. In the letter to the Earl of Nithsdale the King writes that he will not warrant but that the Earl will hear of a breach between him and his covenanting rebels about the same date. The date referred to was that on which the English Parliament was to meet; and, though the state of parties at that period is sufficiently known from recent historians, the letter now reported on, and the similar one to the Earl of Nithsdale, are valuable indications of the spirit with which the King looked forward to the assembling of the Parliament. He hoped that they would give

him a subsidy to march against the Scots with an army strong enough to crush what he accounted their rebellion. The letters are all the more valuable that in each of them the recipient is bound to secrecy except as regards one other person, who is the same in each case. The real mind and hope of the King are thus made evident, though at the time, and for some months later, there were no open hostilities against Scotland. The last sentence in the letter now reported on refers to the Earl of Angus, eldest son of the Marquis of Douglas, who was an active adherent of the Covenanting party, and was therefore obnoxious to the King.

The last of the three recently discovered letters was also written by King Charles with his own hand to the Marquis of Douglas, but the occasion of it cannot be clearly explained. It is not improbable, however, that the son of the Marquis referred to was Lord William Douglas, afterwards third Duke of Hamilton, who about three weeks previously had been created Earl of Selkirk, and for whom his father may have asked other favours. Perhaps the chief interest of the letter now lies in the fact that it is written from Newcastle while King Charles was still in the hands of the Scottish Army, and, though virtually a prisoner, was treated with all outward respect and semblance of kinghood.

It was no doubt owing to the relationship of the Marquis of Douglas with his son William Douglas, third Duke of Hamilton, that the two last letters here noted came into the Hamilton Charter Chest.

LETTER: HENRY PRINCE OF WALES, ELDEST SON OF KING JAMES THE SIXTH. Address wanting.

MY LORD,

THE cause that hath made me to delay so long the answere vnto your letter hath bene no other but the difficultie to effectuat that which you desyred and I wished. But that which one tyme marreth another mendeth. In the meane tyme, as I doubt nothing of your well deseruing, so ye may be assured of the continuance of my affection towards you in particular, and the countrey in generall, and this wishing you to beleue I commend me to you.

St James 3 of Apryle. HENRY P̃.

LETTER: KING CHARLES THE FIRST to WILLIAM, FIRST MARQUIS OF DOUGLAS.

DOUGLAS,

ACCORDING to my promis I thinke it is nou tyme to send you word to look to yourselfe, for I will not warrant you from the insolencie of the Couenanting rebelles longer then the 13 of the next moneth. I haue no more to say but to asseure you that I will not lay the follies of your sone to your charge, and that I am

Your asseured frend

Whythall the 27 of March 1640. CHARLES R.

I desyer you not to take notice of this to anie boddie except it bee to Winton, and that nether but under the seale of secresie, hauing upon the same condition aduertised Nidsdale.

LETTER: KING CHARLES THE FIRST to WILLIAM, FIRST MARQUIS OF DOUGLAS.

DOUGLAS, Newcastell, 27 August, 1646.

I HAUE receaued your letter by Morton, and am very sencible of what you haue suffered for me, asseuring you that when it shall please

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God to enable me you shall fynde reall effects of my gratitude, and as for your request conserning your sone I shall in due tyme giue you satisfaction in it, though for the present dyuers waighty reasons makes me forbeare to doe what you desyre, but now and allwaise you shall fynde me to be

Your most asseured reall constant frend

Addressed, CHARLES R.

For the Marquis Douglas.

SECOND REPORT on the CORRESPONDENCE.

The following Report contains the remainder of the correspondence of the Dukes of Hamilton down to and including the time of the union of Scotland and England. The correspondence for the period of Scottish history under consideration, from 1654 to 1707, is very voluminous, and the letters now reported on have been selected from a large mass of papers, many of which are merely indicated, their contents not being of great intrinsic importance.

Of the documents detailed in the following pages, by far the greater number relate to William [Douglas], third Duke of Hamilton, who took a prominent place in Scottish affairs during the reigns of Charles II., James VII., and William and Mary. He was the eldest son of the second marriage of William, first Marquis of Douglas, and in 1646 was by King Charles I. created Earl of Selkirk. He married, in his twenty-second year, on 29th April 1656, Anne, Duchess of Hamilton. eldest daughter of James, first Duke of Hamilton. Previous to this event he was engaged in the attempt which was made by General Middleton to make a diversion in Scotland in favour of the exiled monarch Charles II. The Earl of Selkirk received various commissions to muster troops in aid of the Royalists [Nos. 1 and 2 infra] in May and July 1654. But, as appears from the letters which follow, [Nos. 3 to 13] the expedition was wholly unsuccessful, and Middleton, Sir Robert Moray, and other leaders took refuge in the West Highlands, whence they wrote recommending the Earl of Selkirk to make the best terms he could with General Monck, Cromwell's Commander-in-Chief. The Earl of Selkirk and Lord Lorne [son of the Marquis of Argyll] seem to have been together, but on 19th May 1655 the Earl made his submission alone [Nos. 14 and 15 infra]. He, however, seems to have been looked upon with suspicion, and was temporarily placed in ward in 1656 on a panic that the King was coming to Scotland [No. 16].

In 1660 the Earl of Selkirk was created Duke of Hamilton for life, and in 1673 he and his Duchess received from King Charles II. the final payment of the money borrowed by King Charles I. from her father, the first Duke of Hamilton. That nobleman's devotion to his King was shown in the papers detailed in last report, but it would appear he had advanced large sums of money. These sums King Charles II. now repaid as promised in his own handwriting to William, second Duke of Hamilton [No. 38 infra]. The payment was made at a time when Hamilton was beginning to stand in opposition to Lauderdale's administration in Scotland. His letters to Lauderdale and the replies of the latter, as given in Nos. 17 to 37, shew that a correspondence, never very cordial, but yet comparatively harmonious, continued between them from

1663 to 1673, when Hamilton seems to have refused to go along with the measures of the Government. It appears from other sources that Hamilton attended the meetings of the Scottish Privy Council during the earlier years of that period, but it is believed he did not approve of the harsher measures taken against the Presbyterians. His differences with Lauderdale were, however, chiefly political, and may have arisen from the too great authority reposed in the latter by the King, which resisted all attempts to overthrow it. The letters to the Earl of Kincardine, however [Nos. 42, 43], and the statement by Archbishop Leighton [No. 44], shew that Hamilton certainly favoured indulgences, but the grievances which he desired to lay before the King [No. 45] were entirely relating to the abuses in the law, revenue, and commerce. [Cf. Wodrow History, Ed. 1721, Vol. I., App. No. 59.] Hamilton went to London, but was ill received at Court. The Earl of Queensberry's letters to him while there [Nos. 58–63] shew the strongest animus against Maitland of Hatton, Lauderdale's brother, who acted for him in Scotland.

The letters of the years 1678–9, addressed by various noblemen to the Duke of Hamilton [cf., Nos. 90–104], together with the more miscellaneous documents [Nos. 66 to 89], are of use as shewing the state of feeling in Scotland at that period. At a later date the papers exemplify the coercion which was brought to bear on every class of the community, and nowhere more than in Lanarkshire, for the suppression of Conventicles and the Presbyterian form of worship generally. [Nos. 109 to 118.] The Duke of Hamilton himself for a time refused to take the oath called the Test, and was excluded from office, but finally yielded to the solicitations of James, Duke of York, and others [Nos. 106, 278]. After the accession of King James VII. to the throne he made strong endeavours to gain Hamilton to his views as to toleration to the Roman Catholics [Nos. 141, 142]. The letters [Nos. 121 to 140] give glimpses of the intrigues and jealousies of the Court during that King's short reign.

As is well known, the Duke of Hamilton was one of the first in Scotland to welcome the coming of the Prince of Orange, and he was President of the Convention of Estates which acknowledged William and Mary as King and Queen. The letters between the Duke and King William, especially during the Duke's tenure of office as Commissioner, are chiefly concerned with the difficulties of the situation [Nos. 144–159], and so indeed are all the political letters of that time [Cf. Nos. 194 to 275]. Hamilton's attitude after 1690 was somewhat that of opposition, especially to the party of the Dalrymples. The letters to and from Lord Melville, then Secretary of State for Scotland, [Nos. 194 to 256] have for the most part been printed in the Leven and Melville papers (Bannatyne Club, 1843), and they are therefore only briefly indicated, except a few not formerly published. The letters on military affairs relating to Dundee's rising and the state of matters in Ireland [Nos. 173–193] are of some interest, especially the account in No. 184, of the state of the town of Londonderry then besieged by King James's followers. Letter No. 172 from the Earl of Argyll, giving Hamilton an account of the mission to London to offer the crown of Scotland to William and Mary, seems to set at rest a question, unimportant now, but which was debated with much heat in the Scottish Parliament, whether the list of grievances which required redress was read before or after the taking of the oath by the King and Queen. Argyll plainly says that the Dalrymples desired the oath to be taken first, but failed to carry their point.

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William Douglas, third Duke of Hamilton, died in April 1694, on which event his widowed Duchess received a letter of condolence from Queen Mary [No. 277 infra]. Anne, Duchess of Hamilton, survived her husband for upwards of twenty years, dying in 1716. She is said to have been a person of sound judgment and much strength of character. A few letters to her from Mary of Modena, Duchess of York, are given in Nos. 282, 283.

James, fourth Duke of Hamilton, was, while Earl of Arran, a strong supporter of the Stuarts. In 1698 his mother resigned in his favour the titles and honours of Hamilton for a new patent to himself and his eldest son. Between 1703 and 1707 he was the principal opponent of the union of Scotland and England. A few letters written to him at that period are given in No. 288, but the bulk of his correspondence is of no historical importance.

The papers now reported on are classified as follows :—

Section I.—Papers and letters relating to William Douglas, third Duke of Hamilton, while Earl of Selkirk, 1654–1656.

Section II.—Letters and papers of William Douglas, third Duke of Hamilton, 1660–1694.

Section III.—Letters and papers relating to James, fourth Duke of Hamilton, 1678–1707.

Section I.—Papers and Letters relating to William Douglas, Third Duke of Hamilton, while Earl of Selkirk, 1654–1656.

1. Commission by Major-General William Drummond, appointed by General Lieutenant Middleton to give commissions for raising horse and foot, in favour of the Earl of Selkirk on account of his interest and friendship in the Upper Ward of Clydesdale, the shire of Dumfries, and the "fyve kirks of Esdale," empowering him "to raise and call togither all his freinds and followers and als manie horsmen weill mounted and armed forth of the said places as he cane," to form them into troops and appoint all officers under a Colonel, and with them "to invade kill and distroy the comone enemie now in armes under the Inglish comand" etc. Dated at Lude, 9th May 1654. "W. Drumond."

2. Commission by John Middleton, Lieutenant General "next and immediate vnder his Majestie and Commander in Cheife of all the forces raysed and to bee raysed in the Kingedome of Scotland," appointing the Earl of Selkirk to be Colonel of a regiment of horse to be raised in the places named in the previous commission, with power to lead the same for his Majesty's service against all who are in open hostility or not in present obedience to the King, etc. Dated at "Loghhaber," 20th July 1654. "Jo. Middletone."

3. Letter, Sir Robert Moray to the Earl of Selkirk. That he had missed a former occasion of writing, and this letter is accompanied with sad news. He was troubled that his messenger "Doll" had brought no letters from the Earl, that she could scarcely tell him where the Earl was, but she believed he was at Loch Katrine. If the general treaty goes on, Sir Robert and those with him (Middleton probably) will come towards the Earl, to whom in the meantime he wishes safety and accommodation. Men talk with bitterness of spirit of those things which have produced the resolution of a general treaty; the grounds will be explained afterwards. "There was never a more unhandsome carriage then my Lord

Seafort's hath been. The Generall (Middleton) was in his house when hee made his agreement and to blinde men he had brought the people of his northmost countries towards Kintail. It is not of late his treatty began. I do not yet well know where we are to stay till we hear from the enemy," etc. Glenelg, 12th December 1654. [Endorsed 10th.]

4. Letter from General Middleton, not dated, but apparently written a little while previous to the above. That he has received sad and unexpected news, but though the King's service suffers in the first place the deserters of it will suffer eternal dishonour. He praises the Earl's constancy. He will shortly be at Achalader, where the Earl will be welcome. If he has left that place, he will leave his address.

5. Letter from the same, giving particulars. "Lord Reay hath disapointed ws in not keeping the randezvous and my Lord Seafort, Sir George Monro, and diverse others basely deserted ws." That the day previous they were ready to march with McLeod, Glengarry, and their people, when Middleton called a council of war, and finding that the treachery and desertion of many who had joined had reduced the business to such a condition that they found it impossible to carry it on with any hope of advantage, or to obtain advice of others engaged, they had resolved to send (to the enemy) for a pass for some to treat with Monck as to laying down arms. They preferred this to sacrificing the lives and fortunes of those who had loyally resisted all difficulties. They are however resolved if honourable conditions be denied, never to abandon one another but to perish together. All in arms shall be comprehended in the agreement and every reasonable condition made. Middleton desires in the meantime that the Earl may draw his party as near together as possible, to send him his wishes or to meet or act as may be necessary, etc. Glenelg, 12th December 1654.

6. Letter, King Charles II. to the Earl of Selkirk. "Collen," Decem[ber] 30th, 1654. My Lord Selkrike, I am so well pleased with the account Middleton sends me of your constant affection to my service in spight of all the endeavors to corrupte you that I cannot but returne my particular thankes vnder my owne hande, besides what this bearer Mewes will say to you from me. I hope the time is drawing on that I shall be able to rewarde you better than by words and you may then be confident that you shall have cause to believe me to be very kind to you as your very affectionate frind Charles R." Addressed, "For my Lord Selkricke."

7. Sir Robert Moray to the Earl of Selkirk, commenting on the latter's position. "The Generall is most sensible of your noble deportmente and hard condition. He allowes you as you will see under his hand in case of utmost extremity to mak your agriement by yourself, but I would gladly have all go one course, for it is the onely perfectly honorable way in all respects, etc. Dunvegan, 5th January 1655. In a postscript, the writer earnestly begs the Earl to do nothing till he hear again from them.

8. The same to the same. A treaty is accepted but not a cessation of arms. The pass for the envoys is limited to so short a time, that they sat last night without sleeping a wink to despatch the messengers who must be at Dalkeith on 3rd February, or halt on the way till they procure another pass. If the Earl is still with Lord Lorne he will see a copy of the instructions, but if he be gone thence, the writer is afraid to hazard another copy. The writer cannot leave the General (Middleton) unless the latter send him away. But if Lord Lorne required it,

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the writer would come, especially if he had any hope of seeing Selkirk. He trusts the Earl received the book of pastorals sent with the previous letter. The writer apprehends that if the Earl be forced to make conditions for himself they will not be so good as those in the general treaty, and therefore begs the Earl to forbear till he see the issue of it. He expresses an earnest desire to [see the Earl. Dunvegan, 24th January 1655.

9. From General Middleton. That he has little to add to his "generall letter," but such as cannot be trusted to paper in a journey full of hazard. He hopes to see the Earl at Morvern on the 15th April the place of general rendezvous. He doubts not the Earl will use all his power that everybody that intends the good of the service will be there for all depends upon it. He will then communicate the very secrets of his heart. Dunvegan, 14th March 1655.

10. From Sir Robert Moray. Of no special importance. The Earl will have learned the time and place of the general rendezvous appointed for pursuing the conclusion of the common treaty as may be honourable for all, and as advantageous as possible. It is expected that Monk will state the lowest they mean to grant, which will be accepted if found fitting, that divided treaties may be avoided. A letter is sent to Lord Lorne to be signed by them all, and then sent to Monk. He urges the Earl to keep the rendezvous. Dunvegan, 15th March [1655].

11. From the same. The General Major will shew the Earl their condition and resolutions. Until they hear from him, they will be in uncertainty. Unless the rendezvous hold or the treaty go on the writer knows not if he will see the Earl, which he is very desirous to do. Dunvegan, 20th March 1655.

12. A formal letter of approbation by General Middleton in favour of the Earl of Selkirk, beginning "Seing the Earle of Selkirke hath gevin so singular proofe of cleere and perfect loyaltie to the Kings Maiestie and of pure and constant affection to the good of his Maiesties seruice and the weelfare of this kingdome as to have cheerefullie engadged in this late warre, notwithstanding all discouragements . . . . I doe therfore heereby testifie and declare that I am perfectlie satisfied with his vholl deportments in relation to this late warre, and doe highlie approue of them as being not only aboue all I can expresse of their worth but almost beyond all parallel, and I doe withall heereby both allow and most earnestlie desyre, and wish him to losse no tyme in taking such course for his safetie and preseruation by treatie and agreement or capitulation as he shall iudge most fitt and expedient for the good of his person and estate, since inevitable and invincible necessitie hath forced vs to lay aside this warre," etc. Signed and sealed at Dunvegan, 31st March 1655. [Enclosed in the above, as of similar tenor, is a letter by Middleton, dated 5th January 1655, giving permission to the Earl to make terms for himself. Cf. Sir Robert Moray's letter, No. 7 supra.]

13. From Sir Robert Moray, not dated. "If you cannot possibly stay so long with my [Lord] Lorne as to waite for the conclusion of the treatty and be necessitate to make use of friends to make your accommodation, I would have you if possible get it to be one of your conditions that you shall have the benefit of the general capitulation, or of the best that hath been or shall be granted to any other body." Giving him further advice as to terms, etc.

14. Pass by General Monck, permitting the Earl of Selkirk with his servants, horses, arms, and necessaries to pass to Dalkeith within six weeks from date, to treat for his coming in, and in case he shall not agree with Monck, permitting him his servants, etc., to return back. At Dalkeith, 3rd May 1655. Signed, "George Monck."

15. Articles of Agreement, of date 19th May 1655, between General Monck, Commander-in-Chief of the forces in Scotland, and William, Earl of Selkirk. (1.) The Earl shall with his servants repair to Dalkeith within ——, and there lay down arms. (2.) The Earl shall give security to the amount of 4,000*l.* sterling that he will keep the peace. (3.) The Earl with his servants included in this agreement shall be free of all forfeitures, fines, penalties, &c, for anything done by them in the late war. (4.) The Earl shall have liberty, within two months, to go beyond seas and return; and a "recruite" shall be given once in two years of 1,000 men for his Lordship's regiment in France, with consent of the Protector. (5.) Major William Moorehead (? Muirhead) formerly of the Earl's party shall give security for 500*l.* (6.) The Articles shall be ratified by the Lord Protector and Council within three months. Signed "George Monck," "Selkirk."

16. Letter from General George Monck to the Earl of Selkirk. "My Lord, I received yours, and for that you desire to know wherefore you are secured, I had orders from my Lord Protector for that which I have done, and whereas you are pleased to say I have broken my capitulation with you I know noe such article butt that when I saw cause for itt I might secure you and truly, my lord, I must bee free with you that some of the Hamiltoun faction and others that were very open vppe and downe the country said, that though they had none of that name of Hamiltoun to head them, yett they hoped to have one (naming yourself) that might doe as much service for Charles Stuart as ever was done by any to the name, when occasion did serve, and truly I thinke your carriage hath nott bin soe well since your coming in, butt that vppon the intelligence of Charles Stuart's coming over with some forces, wee might have just grounds to secure you, butt if you please to make your application to my Lord Protector for your release (which I thinke itt will bee your best course to doe), I shall be very glad if you can procure itt. And for the libertie of the towne, I cannott grant it till such time as this alarum be over of Charles Stuart's landing some forces in this country. I remayne Your Lordshippe's very humble servant, George Monck." Dalkeith, 19th November 1656.

Section II.—Letters and Papers of William Douglas Third Duke of Hamilton, 1660–1694.

Series of letters from John Earl (afterwards Duke) of Lauderdale, with replies by the Duke of Hamilton.

17. Letter from Lauderdale, that the letter of gift of the taxations had been sent, but there is no hope of present payment of the precept. Lord Rothes does all he can to serve Hamilton. "Some wicked lyar told the King that yow was not forward in the Church business. It made no impression, yet His Majestie told it me, and truely both our Archbishops and my Lord Rothes did handsomely give that information the lye," etc. Whitehall, 4th April 1663–4.

18. Another letter from Lauderdale, also holograph, stating *inter alia* that Lieutenant-General Drummond had given very full evidence of the

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Duke's hearty serving the King, with which His Majesty was fully satisfied. Till the rebels are forfeited the King will give none of their estates; when they are forfeited the writer will represent the desires of the Duke and the Marquis of Douglas. Whitehall, 20th April 1667.

19. Draft letter of the Duke of Hamilton to the Earl of Lauderdale. "My Lord, amidst your great affairs I judged it unfit to give yow trouble when all I had to say might have been looked on as so much lost time, but now that disorders ar likely to grow through the absence of persons intrusted to manage the affairs of this nation, I judged it a dutie to His Majestie and respect for you to give yow a short account of what I know. I had a letter this morning from a corum of the Councill, requiring my drawing togither the three militia troups of this shire for joining with the gard of horse for suppressing dissorders uer feared to fall out amongest the foot companys for ther arrears, Colonel Borthik's company haveing already muttined and marched from Edinburgh westwards, in obedience wherunto I have drauen these three troopes togither. The Earle of Linlithgow has some of the gards togither at Glesgow, and as yet I hear of no disorder ther nor what way Borthiks company is marched. This disorder puts the countrie in disqueit, and ther is that has inclinations to be unpeacable, but I hope they will be wiser, tho they have to fair ane opertunetie the reasons of which will be good service done His Majestie to be put to ane exact tryell, for its generally said the foot has great provocations, being so ill payed that they ar naked and starving. The horse gards does not want ther complaints, being now for the fyft month in arrrear. This lookes ode to these that does not know the reason, considering how many impositions ar lying upon the cuntrie, and such a few number of forces and ther past ane act of counsell, wherein the E. T. did proceede just befor his leaving this kingdom, apointing rates to be set on oats and straw to be furnished to the horse gards some years ago. I have heard this called a great grivance, and I am sure the countrie had neuer more reason to thinke it so and beleeue it, both the gentrie and commons does cry more out againest it then any burthen is layed on them, and is worth your Lordships pains to see helped. I shall not need to insist to tell yow of the disorders in the Highlands, or of the advocats dissobedience to the regulations. Laues and regulations had been better unmade then passed from upon contemp and dissobedience. I shall onely ade further that how insignificant so euer I may be looked on, neglected, or misrepresented to His Majestie, yet no consideration shall euer make me suerve from that dutie and alledgance I oue His Majestie, but shall be ready on all occasions to venter my life and the litle fortune I haue in his service as friely as any breathing, and this freedom I haue taken with your Lordship is on no other desing then my affection to His Majesties service, and to put yow on your gard to prevent in time greater inconveniences, which, if they fall out, will not be so easie for yow, who I could wish to haue ground to thinke I might expect friendship from. This is a contineuance of the inginuitie yow have so much mistaken in, my Lord," etc. "Ham[ilton], 14th Nov[ember, 16]70."

20. From Lauderdale, in reply to the above, a long letter, not holograph. He knows not when he gave the Duke just cause to think that what he wrote was lost time, and the writer's affairs now are not greater than ordinary. The treaty of union, which the Duke opposed, is now adjourned, and he hopes the Parliament will find that those whom the King employed have been very careful of the honour of Scotland, and that obedience in that particular has produced no such prejudices as the Duke alleged against it. As to disorders he thanks the Duke for

informing him of what he knows. From the Privy Council he had a full relation as to the mutiny of Borthwick's company. The King had approved their actions, and had given orders as to a settled martial law for the standing forces in Scotland, with a view to punishing offenders; the King had also ordered inquiry about the pay, etc. The country will probably not be much disquieted, as the mutiny is at an end. As to "those who have inclinations to be unpeaceable," etc., Sir William Sharp had given good account to the Council, and the treasurer had evidently done his part, so that even if the Duke had as he desired, received the farming of the revenue, or become a Commissioner of the Treasury, he could not have done more. As to the grievance about oats and straw, the writer does not see what he can do; the Council have done it, they know best the reasons, and can best help it. For disorders in the Highlands the writer knows of none save what fell out at Inverlochy some months ago, and is now under trial. In regard to the Duke's remark about advocates, laws, etc., if he look at the King's commands to the Session he will find there was no great need for that sentence. As to the Duke's statement about neglect and misrepresentation, the writer reminds him that the King at least has not neglected him, by enumerating the honours and benefits bestowed on him, and if any one has misrepresented him that person should be allowed to clear himself. Lauderdale concludes, "I never doubted your loyalty and duty to the King, but I doe not understand what inconveniencies I can prevent by your freedome, and I understand less why yow say *yow culd wishe yow had ground to expect freindship from me*, for if you are so diffident of it, that yow wishe to have ground to expect it, then I have lost some labor, haveing so long studyed to give you reall testimonyes of my being my Lord, your Grace's most humble servant, Lauderdaill." [The words from "my Lord" are autograph.] Whitehall, 24th November 1670.

21. Draft letter from Hamilton, deprecating the construction put on his last letter, and defending himself in some points. He never spoke against giving obedience to His Majesty's commands in agreeing to the proposed treaty of union, being for it, though he differed as to the manner of carrying it out. He never questioned the treasurers doing their part, but suggests that his own proposal of farming the revenue would have been more advantageous to the King. He had no desire to impute neglect to His Majesty, or Lauderdale, and however unhappily his letter was worded, he only designed to give notice of certain matters of which he had apprehensions. Hamilton, 16th December 1670.

22. Lauderdale's reply, to the effect that the construction put on the letter was natural, but he has no desire to continue the dispute. "For I am as willing as you can be that not onely past mistakes may not stick, but that bygones may be bygones, and faire play in time to come," etc. Holograph. Whitehall, 19th January 1671.

23. Hamilton, in answer, very brief, expressing satisfaction, and making professions of service. "End of January or beginning of February 1671."

24. Draft letter, Hamilton to Lauderdale, as to the treasurer's accounts, explaining that the discharge only had been audited, and also giving his personal reason for delay in auditing the charge portion of the accounts. Edinburgh, 25th February 1671.

25. Letter, holograph, from Lauderdale, not dated, but acknowledging a letter of 1st August. That he will endeavour to serve the

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Duchess of Hamilton in regard to the debt due by the King. "I am now very well satisfied with what I heare of your endeavors to serv the King and preserv the peace of the country. I assure my-self you will contineu to appeare and act like a Duke of Hamilton in His Majesties service, and for suppressing those incorrigible rogues who wait but for opportunity to rebell; and I am persuaded you will continue firme to our church as now it is by law setled, and then you may be certaine that not onely bygones shal be bygones, but that I shall serv you all that is in my power." Lauderdale concludes by urging the Duke, for various reasons, to "live well with Lady Margaret Kennedy." He trusts their "little differences" will be reconciled.

26. Hamilton to Lauderdale, dated at Edinburgh, 7th September 1671, probably in answer to the preceding, that though he had not added his desires to those of his wife as to her family concerns, yet he cannot but express his obligation for the friendly return made by Lauderdale, etc.

27. Lauderdale to Hamilton, holograph, enclosing a copy of the docquet of the signature of 20th January 1664, conferring the taxation on the Duke and Duchess of Hamilton in payment of a debt to the first Duke of Hamilton, in reference to accounting with the Lords of the Scottish Treasury. 30th January 1672. [There is also a draft of the Duke's letter to which the above is the reply, but it is of no intrinsic importance, merely intimating he has been required to account for his intromissions with the taxation.]

28. Hamilton to Lauderdale, in answer to a letter dated 27th February 1672 (not here reported on) congratulating the Earl on his marriage; thanking him for passing a signature in his favour, and for a friendly intimation as to the Duke's nephew, Master of Carmichael. The Lords of the Treasury having fitted his accounts, he sends an abbreviate of them, but considers himself strictly dealt with in some points. 9th March 1672.

29. Draft letter, Hamilton to the Duke of Lauderdale. "Since I was a witnes of the pains and trouble you wer at in the alloueing of most of the outed ministers to preach in some churches in these parts, the duety I ow to your Grace oblidges me to give you a full account of what I hear of the succes of it for notwithstanding of this great faver is done them yet such is the perversnes of some (and I fear to many) that they have vsed all the art imaginable to rander it ineffectuall, and in order thereto severalls did meet at Edinburgh wher they drew reasons againest it, which they have not onely sent through the countrey but have taken pains amongest the people to withdraw them from hearing those that should accept, whom they threaten to render as contemptable as the conform ministers by keeping conventicles at ther dooers, as of late they have been very bussie hereabouts. and as I am told has prepared a petition to give into the councill of ther griveances at this way of indulgence and have spoke to some to try what acceptance it may have, yet so much has this indulgence done that it has more broke ther party then anything formerly for to most of the churches one (minister) is gone, but to few two. How far those that have given obedience ar to be incurradged, as those that ar so malitiously indevoring the contrare ar to be prosecute and the hearers of the feild conventikles, many of whom I have already fined, I humbly intreat your Graces thoughts," etc. Hamilton requests to know what measures he should take. 11th November 1672.

30. Letter from Lauderdale, apparently in reply, that he had acquainted the King with Hamilton's care, and His Majesty is exceedingly satisfied. He sends by way of instruction a copy of a letter written of same date to the Scottish Chancellor (the Earl of Rothes). Whitehall, 21st November 1672. [The letter to the Chancellor begins by a reference to the appointing of a Committee of Council for settling and preserving the peace of the Church, and preventing disorders. It then continues, "I am informed that some of the worst affected of that party keep meetings at Edenburgh and issue out papers through the kingdome for obstructing and owerturneing the benefite that was expected from the planting of the outed ministers in the west. One of the papers I have seen, and it is most seditious, insolent and factious, yet I hear it has that effect that many of those are like to refuse the favour offered, that conventicles doe increase, and that the people are like to be more averse even from hearing the indulged ministers. Now give me leav to offer my humble opinion to you as to the remedyes with submission to your Lordships and the committees better judgement. In the first place I think all diligence should be vsed to take and apprehend all persons who pretend to meet and sitt as a committee at Edenburgh, and that they be committed closse prisoners vntill the King send his further pleasure. I think publict conventicles ought to be suppresst and the laws strictly put in execution against them by exacting the fines, and other vigorous execution of the law. I think the ministers who keep them ought to be committed close prisoners if they can be apprehended. My opinion is that when the day comes before which it was apointed that the outed ministers should give obedience to the act, those who have obeyed ought to be encouraged. And becaus it may be presumed that those who refused to come in where indulged ministers are placed, have done soe out of kindnesse to them least a parte of the stipend may be withdrawen from them; I shall humbly offer if it may not be thought fitt to give them a new short day to which they may be required to come and accept, with certification that that parte of the maintenance which they might have had shal be disposed for the vse of the Vniversityes and other pious vses, and that such course may be taken with them for their disobedience as the Councell shall think fitt, . . . to the end they may see that the shair which they refuse to take of their indulged brothers maintenance shall not make him the richer, and that they may be punished for their disobedience." Lauderdale offers this as his private opinion, yet the King commends it, but the committee are required to send up a true state of the whole matter before receiving further orders.]

31. Lauderdale to Hamilton, announcing the death of the late Duke of Lennox. "He dyed in his Calesh neir Elsenor after he had dined aboard ane English man of warre; he was imbalmed and his bodie to be broght over hither." His estate in Scotland now belongs to the King, who had given orders to secure the charter chest and writs, and to give an account of them. The Duke of York had been in the meantime made Admiral of Scotland for life, and the King resolves to make the Duke of Buccleuch and Monmouth Chamberlain of Scotland for life. Lauderdale hoped to get the "blew ribban" for Hamilton, but the King was engaged, and the Duchess of Cleveland's eldest son will probably get it. The King however had consented to appoint Hamilton to the late Duke's [Lennox] office of Bailie of the regality of Glasgow, and Lauderdale begs that a draft signature may be sent up to that effect, etc. Whitehall, 14th January 1673.

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32. Draft letter by Hamilton, in reply. Explains his delay in answering by his attendance on the funeral of "Lady Muntrose." He thanks Lauderdale for his extraordinary kindness, but begs also that the government of the Castle of Dumbarton may be conferred upon him, as he is ambitious to be in some particular employment in the King's service, etc. Holyrood House, 23rd January 1673.

33. Hamilton to Lauderdale. That in obedience to orders he had given in to the Commissioners of the Treasury the accounts of James Duke of Hamilton's intromissions with the taxations of 1633, which they had delayed to sign. He begs that the Commissioners may be ordered to close these accounts, etc. 20th February 1673.

34. Lauderdale to Hamilton. "The King was so well satisfied with the cours laid doune by the Councell for lodging the outed ministers and planting the Churches in the West, that seing it has not yet had any succes, His Majestie hath written earnestly to the Councell about it." Lauderdale encloses a copy. A commission is to be given to Hamilton and four others for keeping quiet the diocese of Glasgow. Though four others be named, the King has most confidence in Hamilton, and Lauderdale trusts he will use his utmost interest. "No service will be more acceptable to His Majestie, for he is wonderfully concernd in the peace of Scotland. Heir I send you ane abstract of the Princes and other letters which came this morning concerning Wedensdays fight, which was plainly heard on all this coast. You will see the Dutch are beaten and made all to runne within their sands and the prince [Prince Rupert] rides ready to take all further possible advantages against them. Our loss is very small, and theirs very great, of which time must bring us the particulars. Within this fortnight the King will have neir Blackheath incamped neir ten thousand men, with all things ready for their transportation, which, with the 72 companies already aboard, will make a considerable army. God grant them succes, and then I doubt nothing of a happie speedy peace. The French King is in the heart of Brabant, and I thinke will beseige Mastrick." Lauderdale then refers to his endeavours to procure an order from the King to Sir William Lockhart as to Hamilton's French interests, and regrets that the Bailiary of Glasgow was only to be granted for life. Whitehall, 31 May 1673. [The copy of the King's letter to the Scottish Privy Council, enclosed, begins by expressing the King's satisfaction at the proposed plan of disposal of certain of the "outed ministers" to Churches in the West. He desires the matter may be pursued, and that those ministers who have delayed to give obedience be forthwith cited to appear, and required to repair to their respective parishes, and to abide confined there, with liberty of preaching in those parish kirks, and receiving their shares of the stipends thereto belonging. Those ministers who will not accept the terms are not to be further pressed to do so, but required to give security that they will give up conventicles, and go to church, and for their orderly and peaceable living where they presently reside; or that they will choose for themselves any one of those parishes in the diocese of Glasgow named in the Acts of Indulgence; or, if they will not choose, that the Council choose for them. Other outed ministers to whom no parishes were assigned are also to be summoned and required to give security, etc. Those who are displeased with the late indulgence are to be threatened that if they continue refractory, the King will use his utmost power to secure the peace of the church and kingdom. The Duke of Hamilton and the Earls of Linlithgow, Dumfries, and Dundonald,

with the President of the Session, are to receive commissions to keep order within the diocese of Glasgow, etc. Whitehall, 31 May 1673.]

35. Hamilton to Lauderdale, in answer to the above, commenting on the letter to the Council, from which he was obliged to absent himself on account of the sudden death of his sister, the Countess of Annandale. He desires to represent his thoughts on the new resolutions for securing the peace of the diocese of Glasgow. "I hope you will pardon since you ar pleased to tell me his Majestie puts his greatest confidence on me in the conduct of this new affair. In the tract of all my life it has been my indevore to keep myself from any disloyall or complying practises and wherin it was in my pouer, to indevore all the faithfull services I could do his Majestie. I cannot but regrate my misfortune that such services and employments falls to my share as are not only above my pouer but of the most dangerous consequence, for if you will consider this commission for five of us to putt in execution that which has been the greatest worke of the councill this ten year past and yet I fear will be a harder taske now then when they begune so much as those people like to disapoint expectations from the indevors has been used, how then it can be expected to be undertaken by so few a number, or upon what reason so great a bussines and of so great consequence ought to be imposed upon us, and how more can be expected from such a commission than from the Councill, pases my understanding, or currage to undertake. This I easely forsee that it will not be in our power to do his Majesties service, then the bleam and odium must lay all upon us." He reminds Lauderdale that on a former occasion, a similar commission had been thought unfit, and a Committee of the Council appointed, which he considers the best plan. Most of the disorder in the country proceeds from the example of Edinburgh, and inferior magistrates can attend better to represent disorder there than in the country, and their attendance (on a commission in the country) will "bring such a charge both on them and on those commissionat, that I dout if it wer no other then that it will render it ineffectuall. But, my Lord, wee need nether new laues nor wayes to execut them, ther ar of both sufficient. It rests onely on some to make it ther worke and it apears none so fitt as the comitty you named, it consisting of the officars of estat and forces and other fitted persons who knows best how to take measors and no place so fitt as this [Edinburgh]; ther example in executting the laues in and about this place, ther calling for and putting to ther duty the inferior magistrats, and doeing the rest of the worke of this intended commission, which with the care and dilligence of those more particularly intrusted with the affairs of this nation, to make it ther worke to oversee all, can not but be a more effectuall way to do his Majesties service and secure the peace of the country then any such commission." He concludes by hoping that Lauderdale will not mistake his purpose, which is only to exoner himself of an employment in which he cannot do service to the King. Edinburgh, 9 June 1673.

36. Hamilton to Lauderdale, stating his intention of coming to Court, to thank the King for his goodness and justice to the Hamilton family, but begging for Lauderdale's commands. Complaining of his treatment by Lauderdale's brother in regard to the taxation accounts, which he thought might be misrepresented at Court. 18th August 1673.

37. Lauderdale to Hamilton in reply, thanking him for acquainting him with his intention of coming to Court, but he will not determine Hamilton's resolution, as he is the best judge of his own occasions. If he come he will be well received. The writer is sorry his brother had

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given offence, but he had always written with great respect of Hamilton, etc. Ham, 27 August 1673.

The "goodness and justice" of the King, referred to in Hamilton's last letter [No. 36 supra], is explained by—

38. A draft discharge granted in this year 1673, by William and Anna, Duke and Duchess of Hamilton, in favour of the King, who had now finally paid off a debt incurred by his father, King Charles the First, to James, first Duke of Hamilton, amounting to the sum of 13,120*l.* stg. with interest, which the present King had paid in instalments by various orders on the taxation of the country and otherwise. A final payment having now been made, the Duke and Duchess of Hamilton formally discharged the King of the whole sum, and delivered the relative precepts and orders. [A number of papers more or less bearing on this debt are found along with the draft discharge. From one of these, signed by King Charles I. in 1641, it would appear that then the sum borrowed from Hamilton with interest was 16,300*l.* sterling. The only other documents of importance in this connection are three slips of paper, somewhat in the shape of promissory notes, each sealed with the royal arms in black wax, and signed by King Charles the Second. Though not dated, they are evidently written to William, second Duke of Hamilton. They are as follow; "Charles R. Hamilton, I promise you (when it shall please God to enable me) to see those debts my father was oweing to your brother both in England and Scotland, faithfully payed unto you, given at the day of ."

"Charles R. Hamilton, I promise you that when it shall please God to restore me to my power in England I shall give you the keeping of Hampton Court with the honor and parkes therof as your brother had, given at the day of ."

"Charles R. Hamilton, I promise you that when I shall sweare anie servants about me you shall be with the first in such ane honorable way you shall have reason to be satisfyed with my care of you, given at the day of ."]

39. Among the Hamilton papers for the years 1674–6 are a number of copies of documents, more or less bearing upon the state of affairs in Scotland, all directed against the government of the Duke of Lauderdale, of whose policy the Duke of Hamilton was now become an opponent. Only the titles of these need here be given, as the subject-matter in each case is very similar.

(1.) A short information of some of the grievances of Scotland and their causes, by Sir George Mackenzie of Tarbet. [Two copies].
(2.) A representation of the state of affairs in Scotland, drawen by Sir George Mackenzie, his Majestie's advocat.
(3.) A short representatione off the affaires of Scotlande.
(4.) A representation of the present affaires of Scotland.
(5.) Ane short accompt of the effaires from Scotland. [Two copies.]

It may be noted that many of the statements made in the above papers will be found word for word in a paper published about 1674, entitled "An account of Scotland's grievances by reason of Lauderdale's ministrie," a pamphlet in the Library of the Faculty of Advocates, Edinburgh, Catalogue no. 413. *See also* Wodrow's History, Ed. 1721, Appendix No. 59, Vol. I.

40. There are also a number of papers, chiefly copies, relating to the appeal of George Lockhart and other advocates, who were suspended

from the exercise of their profession. [*See* Sir George Mackenzie's Memoirs of the affairs of Scotland from the Restoration. Ed. 1821.]

41. Notes in the handwriting of the Duke of Hamilton. (1.) "Memorandum of some passages in Parl[iament] begune in October 1669, first session," giving some account of the part the Duke took in regard to the return to the King's letter, and the debate as to stopping the importation of foreign salt, in which debate and others the Commissioner [Lauderdale] did his best to overawe the Parliament. (2.) "Memorandum of some passages past in Parl[iament] begune 28th July 1670, second session." In answer to an inquiry by Hamilton as to the Lords of the Articles, Lauderdale, as Commissioner, passionately said there should be no new choice. As to the supply required for his Majesty's houses, and other charges, Hamilton objected to an excessive tax being imposed, and suggested 20,000*l.* as sufficient; the Commissioner was not pleased. Hamilton's proposals for easing the heritors and others of certain sums of cess money were also ill taken.

42. Letter to the Duke of Hamilton from the Earl of Kincardine, first, defending himself from a charge brought against him by the Duke, that he had spoken of Hamilton as mutinous and so unfit for public things. This he describes as an "unworthy lye," and begs the Duke to harbour no more thought of it. He expresses the utmost desire to serve Hamilton. In reference to the Commission ordered by the King's letter [Nos. 34, 35 supra] Kincardine begs to tell "the true storie of that affaire. When I cam hither I found the Archbishop of Glasgow [Leighton] before me. Duke Lauderdale called him and me to speake with him concerning the affaires of his dioces. The Archbishop proposed this affaire as it went (this I tell to your Grace, though for his sake I thinke it is not fit it be spoke of). My Lord Duke and I were both well pleased to have him talke of busines, he being so full of his demission, and the thing being rationall and that which I do well remember your Grace and I have talkt of as the fittest way to keep that place in order, there was no great difficultie made in condishending to it, and representing it to the King who did heartily approve of it. For the persones named in it I can truely say that it was meand in kyndnes to them, and though both the Archbishop and my Lord Duke did looke upon your Grace as the chief person in whom they relyed for looking to that affaire, yet both to free yow of the toile and of the prejudice that yow might have in it it was thought fitt to joyne in the Commission such persons as have interest in that contrie, and will doubtlesse be governed by your Grace in it. I have been told of the scruples are made at it as if it were exclusive of the Councell's authority in that dioces, and that it requires a putting all the laws made in Church matters to execution." Kincardine combats this view and reminds Hamilton of a former occasion when he and Hamilton had been conjoined in a similar commission which the latter had approved. For all the difficulties that Hamilton raises he will overcome them all. It is not meant that all or half of the laws should be put in execution, but the Commissioners will have discretionary powers. Kincardine begs Hamilton to undertake it for a time, and if he could not continue he might be released. He urges acceptance as the Archbishop of Glasgow had not only proposed Hamilton, but laid the whole stress of the affair on him, and honoured no man more, etc. Whitehall, 24th July 1673.

43. Hamilton to Kincardine in reply (draft), expressing satisfaction with the first part of the Earl's letter. In regard to the Commission he writes, "That this is such a one as I had once the honour to be in

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with your Lordship, I must very positively differ with yow, or that ever I was of the opinione such a Commission could do his Majestie service. That it is rather like a Commission Sir James Turner once had I thinke may be with much more reason saide, and I am affraed if tryed wold haue the same consequences his had to all parties concerned, for I do not thinke it very safe for privat persones commissionated to take ther ouen measures in executing the laues, I confes I have not the currage to do it, for that and many other reasons to tedious to trouble yow with. I should have expected from the Archbishop that if he had intended to have made any such motion wherin I was to bear so great a share that he wold a litle have talked it with me before he parted, and it is like I might have helped him a litle better to a degested it," etc. [Not dated.]

44. Here may be noted a paper bearing date "Glas[gow], 9th May" [no year], probably written about May 1674, referring to the views of the Archbishop of Glasgow on Church matters. The paper is a copy, but according to a note in the middle of it signed "G. Burnet" is a copy of a draft made by Mr. Gilbert (afterwards Bishop) Burnet for Leighton's use. The paper begins by a statement that Archbishop Leighton accepted the See of Glasgow in the hope of bringing the Presbyterians to terms and obtaining concessions from the King, but these hopes failed. The next thing thought on was the supply of many vacant churches in the Glasgow diocese, who were so addicted to Presbyterian ministers that as the Archbishop could find none well qualified who would serve these cures, the "outed" Presbyterian preachers, in 1672, being everywhere busy in conventicles, [he] judged it necessary either that they should all be carried to other countries, or lodged where they might be tied to particular charges and no more ramble over the nation. The former being against his conscience and inclination, he thought it most advisable that the Indulgence which had been granted to 30 parishes should be extended to other 25, and two outed ministers confined to each of the indulged parishes. This course, however, though considered prudent, had not been obeyed, as during "the last winter, 1673," field conventicles and other disorders increased, and ministers were deserted and affronted in the service of God. Complaints of this were made to the Commissioner (Lauderdale), but nothing had been done. On the contrary, the disorders had been pardoned, which made "all those people" become bold, etc., and they are now possessing the vacant pulpits and also filling the pulpits of regular incumbents. "Amidst all these confusions, the Archbishop is in an utter incapacity to carry on the service of God in the Church, for as parishes fall vacant, the incumbents he sends to them are beaten and stoned away which is not got punished, and tho' during all the years of his stay in this see he hath constantly every Lord's day preached from parish to parish and done all [that] lay in his power for encouraging the regular clergy, yet without more vigorous assistance" he will be too weak to resist a torrent which threatens to bear away the Church as established. It is therefore proposed (1) that the King should consider whether episcopacy should be maintained at the rate of the trouble it has cost, and whether it should not be given up. If it is to be maintained, religion and order should not be neglected, offences against Churchmen should be punished, etc. (2) The laws concerning the Church are too severe to be executed, and should be revised and made practicable. (3) A synod should be called to settle the Church, etc. Here follows in another hand, apparently Burnet's "hitherto my

draught is copied out; what followes is the copy of what is written by the Archbishop on the same paper. G. Burnet."

The second part of the paper begins, "The account of the affaires of this diocesse is I think exactly true and fitlie exprest, but it is larger then either the person mentioned or his endeavours deserved and larger than the King will possiblie have patience to hear . . . . unlesse yow finde him at several reprises at leisure and in some disposition to receive account of these particulars." After some further comments he continues, "The errours in the management of these whole Church affaires have been so great and so many, all along from the first setting out that it looks like a judicial stroke from heaven either on the bussines itself or on ws that were intrusted with it for we have still been tossed betwixt the opposite extreams of too great rigour and too great relaxations and indulgences, well made lawes too severe to be executed and for a counterpoise have executed almost none of them, except by exorbitant fitts and starts that by their extreamitie made all men sure of their short continuance. Our first unhappy stumble that boded us no good journey was the discharging Kirk sessions and Presbyteries before we came from London, and so laying loose the reins of all discipline for the most part of ane whole year. Our overbended act of restitution and mishapt act of Convocation folloued. But our desperat fall that (I fear) we shall never recouer was the fatal act of Glasgow, laying so great a tract waste to make it quiet and then stocking again that desert we hade made with a great many howles and satyres. For our remissnes on the other hand and extream neglect of exercising due authoritie and so exposing it to be despised and trampled on there need no more instances but the two last, the former of which is the not followuing out of the Act of Councell of '72, which the King himself and my Lord Commissioner, and I beleeve all other intelligent persons look on as both the softest and surest way by giving up some lodging to stop the contagion from spreading, and bestowing a little ground vpon a few channels to drain the rest of the whole country. The other instance you know . . . . , what shall be the date of our recovery He alone knowes who rwles times and seasons and all men's hearts and all thinges."

45. Draft letter, Hamilton to King Charles the Second. That he has on all occasions made it his chiefest study to express his loyalty. What he had done in Parliament, or said to the King of the condition of Scotland had no other end than the King's service or the good of the nation. "If our Parliament had sit, your Majestie should have seen how much it should have been my indevor to [have] allayed the distempers in this kingdom which to my great regrate is rather increased by the disapointment of ther expectations, which so far as I could understand was never to have derogate from your Majesties prerogatives and greatness, but to have asserted them as highly as ever before, and to have beged of your Majestie the redres of some things that lyes heavy on the kingdome which can not otherwayes be done, but I shall not presume to insist further on this subject." The Duke then proceeds to give reasons why he had not cordially joined in a letter from the Privy Council to His Majesty. He concludes by begging the King to give him a hearing before believing anything to his prejudice. Edinburgh, 28th March 1674.

46. The King to Hamilton, in reply, excusing delay in answer, as he had been at Newmarket, but as Hamilton had referred all to his coming, he conceived this letter would be in time. "I am sorry to heare that there yet lyes any thing heawy on that kingdome as you mention in

your letter, my intention being to make all my subiects as happy as I can, and if you can shew me any thing which may contribute to theire ease and quiett it will be very welcome to me. In the meane time I haue nothing more to add but that I am your affectionate friende, Charles R." Whitehall, 20th April 1674.

47. The Earl of Arlington to Hamilton. Begging the Duke to forgive him, in consideration of the business with which his "life is overlayed," for not sooner acknowledging the honour and satisfaction he has in the Duke's friendship. He is joyed to learn that the King approves of Hamilton's return to Court, and assures him he will find satisfaction in it as well as all those good ends he proposes in the King's service and the advantage of Scotland, etc. Whitehall, 27th March 1673–4.

48. Draft letter, Hamilton to Arlington, in reply, expressing his satisfaction at Arlington's friendship, and begging the continuance of it "by interposeing with his Majestie that the suggestions of the Duke of Lauderdale who expreses ane avoued malice at me may not have the weight to posses His Majestie of ane ill opinion of me since I am sure all his prejudice is that I have differed with him in affaires wherein I judged his Majestie's service and the interest of the kingdome suffered." This would appear if the King would call together and hear such persons as would not fear to give him a faithful account of Scotland. The Duke trusts that his now coming to Court may be more successful than his former visit. 20th April 1674.

49. Draft letter, Hamilton to H.R.H. the Duke of York in terms very similar to the preceding letter. He is afraid of unjust representations being made by Lauderdale, and begs H.R.H. to give him a hearing before believing anything said to his prejudice. He concludes by referring to the disorders in Scotland. 20th April 1674.

50. Hamilton to the Duchess of Lauderdale [draft]. A complimentary letter, expressing his sense of the favours bestowed on him, and presenting, through the Earl of Athole, as he feared the malice of others, his honour and gratitude, etc. [Not dated.]

51. The Duchess of Lauderdale to Hamilton, in reply to his, received by the Earl of Athole. She is glad he is coming to London. It is necessary for those who are loyal to make profession of loyalty, etc. Ham, 28th August [no year, ? 1674].

52. Letter from the Privy Council of Scotland, signed by Rothes as Chancellor, thanking Hamilton for his diligence in apprehending three persons guilty "of ane insolence latly committed at the kirk of Monkland," and requiring them to be brought from the Tolbooth of Hamilton to that of Edinburgh. The Duke is to secure any other suspected persons and send them also, particularly—Maine spouse of John Muir in Arnebuckle, etc. Edinburgh, 2nd February 1675.

53. Draft letter, Hamilton to the Earl of Arlington, recommending to his favourable assistance the bearer, Bishop of Dunblane [James Ramsay], who will give an account of affairs in Scotland and of Hamilton's own concern, in which he desires the Earl's advice. 29th March 1675.

54. Letter from the Privy Council, signed by Rothes, intimating that the King had ordered all Privy Councillors living within 80 miles of Edinburgh, to be particularly called to attend the Council during this

session, and requiring Hamilton's presence on first July at furthest. Edinburgh, 17th June 1675.

55. The Earl of Athole to Hamilton, referring to a former conversation about the latter's going to London and offering to go with the Duke if he be still in the same mind. "I am very confident and I darr say it that I shall bee soe hapie as to take away any differences to your satisfaction. Your delaying your journey to London when I was last there made these unhapie mistakes, and for God's sake lett it not fall out soe now," etc. Tullibardine, 5th September [16]75.

56. Hamilton to the Earl of Athole, in reply, gratefully remembering his kindness, but he will not be positive in his resolve on that journey, there are so many reasons against it, etc. [Not dated.]

57. Draft letter, Hamilton to Lord Chancellor Rothes, giving an account of a meeting with the King, the Duke of Lauderdale, and Earl of Athole, in which Lauderdale had made certain statements against Hamilton and Rothes. These statements however are of no special interest. London, 3rd February 1675–6.

Series of letters, all without signature, but apparently from William, third Earl, afterwards first Duke of Queensberry, to the Duke of Hamilton.

58. Letter dated from Edinburgh, 22nd January 1676. That he had left town shortly after Hamilton's departure. He had received Hamilton's letters of 11th and 12th December, but could find no trusty person to bear a reply, and begs the Duke to excuse delay. He will speedily have an account of what passes; his friends do not question his justice, honour, or loyalty. "I can'nt bvtt tell you thatt Hatton [Charles Maitland of Hatton, Lauderdale's brother] courts all oportunetys (moir then ever) off disobleidging me, and rather then nott doo't, he maiks his injusteice and brutalety palpable to all persons and judicators, wher anything relaiting to me occurs." He wishes Lauderdale and his Duchess were informed of it. The writer had said to the Earl of Airlie that Hatton's rude way of procedure in business had occasioned Lauderdale and his Duchess more trouble and enemies than "he and all the Maitlands on earth ar worth." . . . . "The laitt Commission for the borders hes doon in the Scots syd much herm and no good feu being trusted off interest and knowledg so the theivs are moir numerous and insolent then ever to that degre theyr stealing from the Commissioners and many banisht theivs coom laitly over both from Irland and Ingland, and I doo assur you, considder most off the Commissioners no moir then so many bubeis, nor can't other ways be for iff they had the witt of Solomon and poor off Cæsar, they can'nt signefy in thatt station and leiv wher they ar." Lauderdale should take away the Commission, or trust "significant persons in itt." The writer then enters into a statement as to the affairs of the Earl of Annandale, etc. "The Chancellor's your servant and Hatton in many of his wys discourses is pleast (as I'm told) to treitt you att the raitt he dus me."

59. The same to the same. Begins in the same style as the previous letter. Though Hatton and his emissaries endeavoured to render Hamilton's friends jealous of his "ingenuety" and make the world believe he had done mean things to gain Lauderdale's friendship, yet all retain their confidence in him. "As to your way with Lauderdale in the futur I fynd all off opinion ye conteinou fair, bvt befoir treating

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vpon any thing els gett the prissoners releast and iff possible the affair off this toun and the burrous leitly questiont settelt by which freinds will be mutch incuradgt and convinct its singelly vpon ther account and the nations, nott your own ye keep freindship with Lauderdale. Iff this be deny't ways must be taiken to convince them its noin off your falt, and that the blam lye wher itt shoud. As to seceuring Duke Lauderdale anent desygns against his person and famely ye may very saifly do't for he condeshending to right what's amiss and seceur us from such streatches and iritations in the futur, I thinke all bygons shood bee forgoitt on all hands and nott only he and his suffer't to retain what favors they hav (most undeservetly) from the King, bott we, in our pryvett capasetys, joyn cordially with them in all relaiting to his Majesteis servis and its to bee feard his affairs in Ingland render us too soon very neceisar. By this we'l convince the world we hav'nt bein mynding our selvs bott his Majesteis and the nations interest, and iff itt be declynt ther duble dealing's apparent. Bott iff ye proceid in this ye most certanly prevaill that the Chancellor and others be cald for iff ye singelly taik the trety vpon you ye can'nt bott lois both att the hands off your freinds and enemeis; so let the prissoners releis and a call to others be your first steps which both in prudence and justeice should be previus to any thing els. Iff ye coom this lenth (which I fear ye do'nt) its in the nixt place fitt ye indevor ane adjustment and equalety in the Session, wher all honnest men ar lyck to be distroyt by the great knavry off some and foly off others bott as to this ye'r nott to be vyolent or piquish bott rather informe itt from freindship to Lauderdale and certanly iff he consider't rytt off his affairs he wood fynd moir for his interest to gratefy the nation by regulating the Session then any thing els to bee doon, and without itt all's to no purpois. As to the Councell and Exchequer I wud'nt hav you pres any thing since its nott of that import and iff any alterations be desyrt ther your and your freinds preferment most neceisarly follou, which is'nt to be pretended to till the King se his error (which short tym will discover), and then t'will fall in naturally and to precipitatt wer both to mack him and our freinds jelus and giv ground off forther misrepresentation off us and our desygns to our enemeis. Whatever way bussines goe its by all consider't fitt ye informe strongly against that brutall rascal, Hatton, who's moir imperious and insolent then ever. He most be represented to the Dutches as a persone who's mannadgment hes occasion't hir Lord and interest moir enemeis then any thing els, and that he's nou seting up hear a distink interest from hirs so that if things fall in further disorder or that hir Lord dye his greitt desygne is to ruein hir as to all intents and porpoises and in order thereto macks ouce [use] off hir Lords poor both to support himself and others. Its suppoist discours off this nature will'nt meet with bad reception from the Dutches who, many say, wants nothing bott sufficient assurances from men off honour and interest hear to joyn in his distruction which imports so mutch as I'm poseteivly off opinion iff all els were condeshended to yett if he be'nt mortefyt, we can never be in harty freindship or seceur in the futur. And we hav one advantadg in pitching upon him as the sacrefeis which is that noin hear will concern themselvs in him for sav the A. B. St. [Archbishop of St. Andrew's] all complain off him and ar censible off his baisnes; and upon the whoill matter the Duchess of Lauderdale may certanly (by that singel ackt off justeice to the nation off distroying him) seceur hir own interest moir solidly (whatever befall hir Lord) then by brybes and other ingyns oust the disappoyntment wheroff she'l fynd when she hes most to doo. In all compagnys I hear he speacks to

your prejudeice and particoularly att young Sir Andrew Ramsay's mareadg when your health wes drunk to him he said he refeust no healths sav the Divel. This I hav from E. Eglintoun and old Sir Andrew Ramsay both present. I'm the moir tedious upon this subjeckt that I knou the desyre and wish off all honnest men concur in his distruction so pray mynd itt by all propper ways (and declyn nott greitt lenths in other things for that end) as what will prov most acceptable to honnest men and for the advancment off His Majesteis servis." The writer then proceeds to comment upon the Earl of Athole and his relations with Argyle. He also refers to the Chancellor [Rothes], who is said to carry himself "with all imaginable honnour and integrety, so it's nott doubted bott ye'l treitt him accordingly." There is likely to be a dispute between Rothes, and Lord Melville as to the estate of Leven. Lauderdale may decline to serve Rothes, as his sister [the Countess of] Wemyss is engaged against him. The writer also comments upon the difference of opinion between the Lords of Session and the lawyers, and trusts Hamilton will advise the latter, if possible, to avoid a rupture at least for this session, as the public suffer. The remainder of the letter, which is very long, is not of special importance. Edinburgh, 5th February [16]76.

60. The same to the same. He repeats much of the information given in the previous letter. The subject of Hatton's violence, &c., is again referred to. The chief points in the letter are "I shall be glad iff att the laitt conferrence anent our Church affairs befoir his Majesty ye hav bein so catious as ye pretend, bott your enemeis hear report itt mutch otherwys and plainly say ye prest a further indulgence so far as to aver we ou't [owed] our so long quyett to the last and iff itt wer nott now extended forther trouble was lyck to ensheu to which its said the King gav you a very smert and sevear return. What's in all this I do'nt knou bott doo assur you it macks greatt noys hear and your whoill freinds ar dissatisfyd ye shood geivn the least offence or ground off jelusie vpon that subjeckt especially till other matters had bein adjusted or geivn up and and certainly t' had bein moir advysabell to a brock upon the account of Hattons greatnes or any thing els then thatt off which so dangerous ouce will be maid." The Chancellor's views on the matter are the same with the writer's, and none of Hamilton's friends are satisfied that he moved in the affair without their knowledge, and it is thought he has done the greatest injury imaginable to the cause he seems to own. Returning to the subject at a later part of the letter, the writer says, "The Busshops ar to hav a meeting hear this or nixt week, and I hav good ground to beleiv some hard representation from them (as to you) is to be fear'd. This possibelly will'nt ccom direckly bott so as may geiv ground to your enemeis to informe the worst things against you and conteinou iff nott incres his Majesteis jaluseis off you and your desygns, and this ye may considder on off the effeckts off the fredom ye oust [used] att your last conference, wher its said Lauderdale exceaded you every way especially in patience and that ye wer in such passion as render't your resson very ouceles." No advice can be given as to this meeting, but Hamilton may be on his guard. His appearing for the Presbyterians is disapproved by his friends, having done no good, and absolutely disobliged the Bishops. Some think they design a new mock Convocation, but this is not certain. Edinburgh, 12th February [16]76.

61. The same to the same. Hamilton's friends were this day surprised with a report that the King had advised him to come home

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and mind his own private affairs, as he could not be trusted with the King's. This report is said to come from Sir William Sharp. Lord Aboyne had spoken foolishly to Hamilton's brother, Lord James [Douglas], with a view to make a jealousy between Hamilton and the Chancellor, but Hamilton is to give no faith to anything said to the Chancellor's prejudice, unless he would be unjust, or injure himself. This is to put him on his guard. "Some say Atholl's going up presently bott I don't beleiv't; he wes at the Wyms two days last week, and tho' his bussines be'nt certanly known, yett I beleiv its to mack that noble lady interpois with the Duke and Duchess of Monmuth to the Chancellor's prejudeice." He commends the conduct of Lord James Douglas, and concludes by referring to some disputes among the lawyers and others. [Edinburgh] 15th March [1676].

62. The same to the same. Chiefly in defence of the Chancellor, and dealing with the personal relations to each other of various prominent Scotsmen, but containing nothing of special importance. One item relates to Hamilton's own family circle. "Your sone Lord Charls is ill off a littell fever, bott is nott fear't; I had almost forgoitt to tell you that when I was last att Edinburgh, a busshop complain't to me of your keaping phanatick petagogs with your children contrair to the lau, which I hav some ground to beleiv is told abov. Off this ye may mack tryall bott I'm nott shur off the thing, only he told itt me." Sanq[uhar], 19th March [16]76.

63. The same to the same. Complains of Hamilton's sending his letters open. He is glad to learn Hamilton carried so well at the late conference, as it was otherwise reported by Lauderdale's friends, who also represented that the disbanding of the Chancellor's troop was one effect of the conference. This is said to divide Hamilton and the Chancellor. The Earl of Dumfries has been prevailed upon by the Archbishop of Glasgow [Alexander Burnet] to write to the Archbishop of Canterbury stating his attachment to the interest of the Church of England, and desiring he might believe nothing to the contrary. There is some design in this, for the same person would gladly have the writer do the like, under pretence that Hamilton had given the King great offence, and "that he now beleiv't our main desygne in all this affair wes to reas Presbetrie and distroy Episcopassy and the Artickels." The writer insists on the honesty of Dumfries. The alteration of the militia makes a noise, and is much laughed at by all serious persons. The writer wishes to know on "what politick" the King has done it, and how it comes that neither his troop nor Hamilton's have been taken from them. The remainder of the letter is chiefly repetition of his former letters. Edinburgh, 14th March [16]76.

64. There are some letters dated towards the end of 1674, and in April and May 1675, relating to the Duke of Lauderdale and Mr. Gilbert Burnet, and the latter's evidence before the House of Commons, which is narrated in a letter from Burnet. There is also a copy of the letter written by Burnet to Lauderdale on 13th October 1673, which was produced in Lauderdale's defence. [Details of these documents are of no special public interest, and the dealings between Lauderdale and Burnet are narrated by the latter in his history of his own times.]

65. Letter, Lord Chancellor Rothes to Hamilton, acknowledging the Duke's letter of 22nd February. That he had also seen Hamilton's letter to the Earl of Queensberry. He had resolved what to do upon

the disbanding of his troop, and had written a letter to the Duke of Buccleuch [Monmouth] in his own vindication. 14th March [1676].

66. Draft letter, Hamilton to the Archbishop of Glasgow [Alexander Burnet] challenging the Archbishop's alleged statement that Hamilton "was not onely for inlarging the indulgence to the Presbiterian ministers in Scotland, but for alloueing them the power of ordination." Hamilton admits he had said he thought the late indulgence had contributed greatly to settle disorders in these parts by conventicles, and the enlarging of it was the best way to prevent conventicles in other parts, but he denies that he was "for alloueing them such a share in goverment." London, 20th January [16]76.

67. Letter, the Archbishop of Glasgow, in reply, that if Hamilton had named the author of the statement, he could better have answered. That Hamilton had pleaded much for kindness and favour to the indulged ministers, to which the writer replied that he had not done or said anything against them, but he thought those who pleaded for them should persuade them to yield obedience to the King and to forbear their illegal ordinations, etc. Hamilton answered it was impossible to get that hindered. The writer concludes by combatting Hamilton's assertion that the peace of the kingdom was owing to that indulgence, etc. Edinburgh, 27th January 1676.

68. Letter, Lord Chancellor Rothes to Hamilton, intimating that a letter had been received from the King, that it was his pleasure that Hamilton should have no more interest in the command of the militia, but no one had yet been named as Captain of the troop. January [1677].

69. Letter from the Privy Council, signed by Rothes, formally announcing the King's purpose, and with their Act in terms thereof, recalling and making void all Hamilton's commissions in the militia, and particularly his commission as Captain of one of the troops of horse; the said commissions and troops not to be disposed of save at his Majesty's pleasure. Letter and Act, both dated Edinburgh, 16th January 1677.

70. Letter from Sir James Turner to the Duke of Hamilton, with an account of an interview between the writer and the Archbishop of Glasgow, as to the latter's relations with the Duke of Lauderdale. In his letter Sir James writes, "I find him (the Archbishop) not at all penitent for whatt is done; he seems to thinke he hath done nothing amisse, and I beleeve he dare not repent for feare he loose the friendship of him on whom he once look'd as his greatest enemie. He will nou sticke close to him till there be a turne. If occasion offer I may happilie fall on the same subject with him heerafter and therby make a tryall of the firmnes of his memorie. He is hielie offended with a conventicle was keeped last Sunday at Killpatrick moores where Mr. John King preachd and at it, as the Archbishop said to me, were present not so few as five thousand people." A negotiation goes on for an understanding between the Lord Chancellor and Duke Lauderdale, in which the Archbishop of St. Andrews, Hatton, and others are busy. The writer thinks that "Duke Lauderdaill will hardlie trust either his brother's politicks, or St. Andrews his promises. The Chancellors friends say he makes bot faire weather till my Lord Melvill be layd aside who is now at Court reneuing his plea for the lordship of Leven. Bot I sould thinke that man very dexterous that could cut a feather with you

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all who are of so different judgments in ordor to publick affaires." Glasgow, 31st May [16]77. [The principal enclosure in Sir James Turner's letter, endorsed "Discourse with the Archbishop of Glasgow, the 28th of May 1677," is of considerable length, but contains little beyond the Archbishop's reminiscences of Duke Hamilton's conversation with him about the indulgence, and of what was done in London by Lauderdale, the Archbishop, and others on the same subject. It is printed by the Bannatyne Club.]

71. Print of Proclamation by the Privy Council of Scotland, commanding all heritors landlords, etc., masters of families, etc. to cause their tenants or servants to give obedience to the Church Acts, or subscribe the bond attached to the Proclamation, under the penalties therein stated. Edinburgh, 2nd August 1677.

72. Copy "Report of the humble opinion of the Committee for publick affairs, concerning the way of prosecuting his Majesties laws against such as disturb the gouernment of the Church." The report contains five rules for directing process against those attending conventicles, etc. The rules are chiefly technical. They are signed by Lauderdale as President of the Council, and ratified and approved by the Scottish Privy Council on 5th October 1677.

73. Copy letter from the Privy Council to the Gentlemen of the shires of Ayr and Renfrew, beginning "My Lords, there haveing bene frequent informatiounes sent in heir of the extraordinary insolencies committed not onlie against the present orthodox clergy by vsurping their pulpitts threattning and abusing their persounes setting vp of conventickling houses and keeping of scandalous and seditious feild conventicles, bot lykwayes of the great prejudice that is lyk to aryse to his Majesties authoritie and government and to the peace of the kingdome in general," the Council recommend that the Commissioners of Militia and others deliberate as to the best means of quieting the shires in question. Holyroodhouse, 27th October 1677.

74. Commission (copy) to the Earl of Perth, appointing him to convocate the inhabitants of Strathern, form them into regiments, troops, and companies, and march with them to Stirling, there to await orders from the Privy Council. Edinburgh, 26th December 1677.

75. Print of Proclamation prohibiting the nobility and others to withdraw from the kingdom without licence. Edinburgh, 3rd January 1678.

76. Letter from the Privy Council, signed by Lauderdale, intimating the rendezvous of the King's forces at Stirling preparatory to their march into the Western shires, and requiring Hamilton, as sheriff of Lanarkshire, to attend a committee of the Council to meet at Glasgow on 26th January. Edinburgh, 3rd January 1678. [To this summons Hamilton replied that he had been confined to his room with sciatica, and excusing his attendance on that ground. This was on 23rd January, and on the 25th the Council intimated that a meeting of heritors would be held at Hamilton on a date to be fixed by the committee.]

77. Letter from James, Earl of Perth, to the Duke of Hamilton, enclosing a paper which had come into the writer's hands through the Duke of Lauderdale, "who says the King had it two posts before it came hither (to Scotland) and lays the more weight upon it that the Duke of Ormond is so much your Grace's friend." 20th January [16]78. The enclosure is a copy of a letter written as by one who had been a

Presbyterian and now betrayed their designs. The narrator is described as one who had been suspected and threatened by the Presbyterians and nearly excommunicated by the Episcopalians. He states that when he first joined the Presbyterians he was welcomed by them as a convert from the prelatical party, he having formerly preached with the curates. He was put to preaching work, but afterwards declined on the ground he wished to hear others. He then gives evidence as to various sermons he heard from Mr. Donald M'Gill, Mr. John Welsh, Mr. George Johnstone, and Mr. Matthew M'Kail, all according to him full of sedition and treason. Besides preaching he found also that the ministers, "I meane the hill men" and others had agreed to sign a paper concluding it was lawful to take up arms, as the malignants had made use only of the sword to beat down God's cause, they being sore oppressed and despised. This succeeding, with the consent of most of the gentry in east and west of Scotland, especially Clydesdale and Galloway, "they will now fall upon a way who shall patronize them in this, and lead when the people are readie; then all agree generally upon my Lord Duke Hamiltoun as the fittest persone, for severall reasones alleadged by them." To this end they had approached his factor, an old well-wisher of the cause, but the Duke would give no positive answer, only granted them liberty of conventicles in his bounds, and desired them to manage all things with secresy and prudence. This was in October [16]76, and the "phanaticks" had made preparations for the beginning of [16]77. They sent to Holland for arms, etc., as to the bringing over of which, and their concealment in Glasgow and Edinburgh, the narrator gives particular information. He also gives information as to money raised in London for the cause, and also as to a paper to be subscribed binding all who sign it to be ready to rise in arms when summoned to do so for the good cause, etc.

78. Letter from the Committee of the Council meeting at Glasgow, intimating a meeting of heritors to be held at Hamilton on 1st February, and enclosing an Act requiring the disarming of all inhabitants within the bounds prescribed, the nobility and gentlemen only excepted, with a bond to be exacted from the whole heritors, liferenters, and others, for themselves, families, servants, and others, to abstain from conventicles and live quietly in obedience to the laws. Letter and enclosures dated at Glasgow, 28th January 1678.

79. Copy of a letter from "some of the conform clergy in the west, to the Archbishop of Glasgow, February [16] 78." This letter in answer to one from the Archbishop gives their "humble opinion of the present tymes" to the effect (1.) That the leading men of the district have gone to Edinburgh, where they expect to be sheltered, and they ought to be severely sought after, and forced to obedience, otherwise the commonalty, who depend upon them, will never be brought to conformity. (2.) That the indulged ministers should be stinted of their liberty, or absolutely laid aside, as most of the disorders flow from them. (3.) That the leading men now at Edinburgh should not be protected by the Council, but taken and sent back to their districts (to be prosecuted there). (4.) The garrisons in the district are too few and weak, and ought to be strengthened by 200 men in the town of Ayr. [In accordance with the above, apparently, the Privy Council on 7th March 1678, issued a proclamation requiring all gentlemen and heritors, &c., having residence within the shires of Ayr, Renfrew, and Lanark to return to these shires within three days.]

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80. Print of Proclamation against the resetting of tenants or others without a "testificate" from their heritor or parish minister that they have lived orderly, etc. Edinburgh, 11th February 1678.

81. Print of a Proclamation requiring the heritors and others of the shires of Edinburgh, Haddington, Linlithgow, Peebles, Berwick, and Selkirk to take the bond for their tenants, etc. Edinburgh, 13th March 1678.

82. Copy letter from the Archbishop of St. Andrew's to the King, that the danger to which the Church in Scotland is exposed has necessitated them to desire the Archbishop of Glasgow to address the King in person and to offer to his "princelie consideration how inconsistent the violent and irregular courses of these who rend the Church and persecute vs for no other reason but that of our absolute and entyre dependance vpon your Majestie and our sincere endeavors to keep the people in a dvtifull obedience to your Majestie's avthoritie, etc. [March 1678.]

83. Copy of a letter (superscribed by the King and countersigned by Lauderdale) to the Scottish Privy Council in answer to theirs of 16th March. That he well understood before he received their letter the insolence of the disaffected, and the progress made in reducing them to obedience. He wonders that any of his subjects should think "That what we (who take so much paines to know the affaires of Scotland, both from our extraordinar affection to that our ancient kingdom and because of the frequent representations that have been made to ws) doe for secureing the peace there, proceeds meerly from the suggestions of our Counsell and want of true information, since all have had oppen access to ws, and we have heard of late years many of our subjects in that kingdome fully and patiently whilest they endeavored by weake reasons to justifie to ws the occasions of their differing from our ministers and opposing our authoritie nor could we have expected that those who have so affronted our authoritie and given such ill example to our other subjects and have cast loose the principalls of all government, could have darred to think that we may yet approve of their rebellious courses." The King thanks the Council for what they have done, and approves of the Commissions granted to Highland noblemen and to the militia to kill such as oppose his authority, etc. Whitehall, 26th March 1678. [This letter, as well as a number of others, is printed in Wodrow.]

84. Print of Proclamation commanding all in the county of Lanark who have not subscribed the bond to put away their horses above 50*l.* Scots in value. Glasgow, 27th March 1678.

85. Copy of the Act of the Committee of Council for disarming the Nether Ward of Clydesdale. Glasgow, 12th April 1678. [A similar Act was passed on 19th April 1678 affecting the Upper Ward.]

86. Under a general heading endorsed on one of the packets "State letters and orders concerning conventicles, 1661–1683" may here be noted two packets, consisting of letters and orders from the Privy Council of no special interest, instructions to search for arms, interfere in disputed settlements, admit prisoners to surety, and other documents of a similar nature; also containing a number of bonds granted to Duke Hamilton by various persons, that they will not attend conventicles, etc., some copies of letters from the King to the Council, as (1) of date 24th August 1673, as to Excise duties. (2) 28th August 1673, reproaching the Council that his letter of 31st May [cf. No. 34 supra] had not been carried out. (3) 23rd June 1674 [printed by Wodrow, History, Fol. edition, I.,

p. 152, Appendix.] (4) 25th August 1674, for raising additional troops. (5) 22nd September 1674, as to re-imprisonment of Mr. King, a chaplain of Lord Cardross ; with similar papers, acts, and proclamations of minor importance, or which have been already printed.

87. Small packet of five letters from the Earl of Linlithgow to the Duke of Hamilton, dated 14th, 15th, and 21st November 1670, referring to the mutiny of Colonel Borthwick's company [cf. No. 20 supra] and to the arrears due to the soldiery.

88. Copy letter, the King to the Privy Council complaining of the attack upon his troops near Cardross, in which Mr. John King was rescued ; of the increase of conventicles; that communions have been kept by outed ministers, etc., into all which the Council is to inquire. Whitehall, 12th June 1675. [Cf. Wodrow, I., p. 390.]

89. Letter signed by the Earls of Rothes and Queensberry and Lord Cochrane, of no special importance, advising Duke Hamilton as to his bearing towards Lauderdale, 6th February 1676. A short private note from Rothes is enclosed. [Cf. Queensberry's letter, of same date, Nos. 58–63 supra.]

90. Series of letters from William, third Earl of Queensberry. In February 1678 he writes to Duke Hamilton (letter unsigned) that he had met with the heritors and others of Dumfriesshire as to the bond, and they had all signed it "sav some few pitifull persons inconsiderable both as to parts and interest, and thes did'nt poseteivly declyn't bot desyrt tym to think off itt which I coud'nt grant." He had despatched his report to the Committee, and trusts the Marquis of Athole and the Earl of Perth will do what is possible to save the district from present trouble. "Thes pitifull persons" who have not signed shall be secured or otherwise disposed of. "Sutch is the greatt terror the Hylanders and methods nou taikn occasions hear that the whoill tennentrie offers what can bee desyrt tho I'm sheur nather they nor many off ther masters desyn performence . . . My tennents ar within twenty who refeus to sygne and thes beggers, for whois caus I fynd [it] hard the rest, and my whoill interest suffer, so hav ordert presently to seceur what they hav for my bygon rent and turn them off my land or putt them in prisson. And its remarkable most off thes ar Annandale peopell and knou no moir off religion or civell deportment then bruts." He had not signed the bond himself, but would return his subscription in a competent time, as he had explained. He assures Hamilton those in the district will do anything rather than suffer for a principle they never owned, and will send to the Council to endeavour to secure themselves from quartering, etc. He desires to know what the Duke has done. Sanquhar, 6th February 1678.

91. The same to Duke Hamilton. That he had received Hamilton's "piquish letter" of 8th curt., for which he had given no ground. That many who have refused the bond are as loyal as those who have taken it he does not deny, but he also maintains that those who have signed are as honest as those who refuse. His district had freely signed, and Hamilton could not condemn them as he had said if his tenantry would do the like he himself would not decline it. Sir Daniel Carmichael also had said "iff his minister gaitt liberty to stay so that he coud ingedg for his tennents he would'nt refuse. All ar off opinion iff your countrey wer nott disarmed feu had refeust itt, and I think on your part its moir wnproftable then ours for its hard to mack brick withoutt stra or suppres rebellious meetings without arms. I'm sufficiently censible off

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the snairs desygnt by the boind and in hou far presing off itt may bee considdert a streatch upon the lau bott present ruein is terrible to some, and I'm convinc't thes who hav volentarly offered them selvs to pres ws to itt wood nott declyn to sygn itt iff we wer in ther place, tho some of them advys ws otherwys. Its treu I coud stopt this countrey from taiking't bott I'm sheur my hazard wes greate and obvious and our advantadg noin att all, so fynding thes off greatest concern reddy to doo itt I thought hard the least pretence off bringing thes barbers [the Highland host] to this place shood be left, wpon which account I was content they shood offer by the melitia or otherwys to dispois of the refeusers" who were inconsiderable. He asserts that the Committee were disappointed at not finding cause to quarrel with his report, and he believes that the ruin of his interest was designed. He is doing his utmost to learn the designs of the Highlanders, who he was told were to march to Teviotdale and Galloway through his district, but his tenantry since "the ill years" have been little better than bankrupt. In answer to some charge by Hamilton he writes "Upon the whoill matter [of making peace with Lauderdale] as God is my judg I am nott under tearms off capitulation with any off that partie nor hav I moir assurence then thes four years past, and iff your Grace judg fitt to seceur yourself withoutt reguard to me I shall not repyn, bott on the contrair bee weall satisfyt with your good forton and submitt to the worst can befall myself." Sanquhar, 12th February 1678.

92. The same to the same. Had no sure opportunity of writing, as to write by the post "is madnes, all being maid open and distroyt or delyvert as they judg fitt. Littell hear occurs worth your knowledg, only greatt pains is taikn to proceur discharges off fre and dry quarters in the west and your shyr, which still provs ineffectuall and now I'm told Sir J. Dalrymple is aboutt it in the shyr off Air and is begining a better understanding tuixt some ther concerned and Duke Lauderdale. . . . . As to myself . . . nothing coud [have] stopt me from waiting upon you sav apprehension to geiv more offence to the King, and that my being ther was absollutly insignificant as to the nation, so iff ye can proceur me liberty, perswad yourself nothing shall stop me. . . . . Mutch noys is maid off the good reception gaitt by Duke Lauderdale's ambassadors [the Earl of Moray and Sir James Foulis of Colinton, sent up from Scotland to counteract the influence of Duke Hamilton, then in London,] and the greatt things doon and said by them in so farr as they putt Duke of York to sylence att the first audience when he was speaking in favors of Marquis of Atholl. Greatt pains is also taikn to mack the world beleiv the King and others conteinou very ruff to him, Earl Pearth and all of you, and that honnest Earl Cassillis is presently to be sent down prissoner for lising-macking, bott all this I hop's alleck treu, and that short tym will mack further discovereis for the King and nations good." The remainder of the letter is chiefly of a personal nature. Sanquhar, 13th April 1678.

93. The same to the same. He begins by repeating his caution as to the dangers of the post, and as for a correspondence contrived by Hamilton by the Carlisle packet, it is publicly known how and by whom his letters are to be conveyed. Sir George Lockhart was the bearer of the writer's last and the bearer of this is the Earl of Kincardine, as to whom Lauderdale is much troubled that he has got leave to kiss his Majesty's hands. He had succeeded in preventing for a time the march of his militia regiment which had been ordered to Clydesdale, but now the order had passed to have them in readiness instantly with 20 days

provisions. He had attempted further delay, but got a "most piquish and perremptor letter . . . ordering ther present martch wpon our hyest perrell, in obedience to which the Annandaile compaynys wer presently in reddines (sav thes belonging to me), with which Sir Robert Dallyell come the lenth of Drumlangrig bott found nothing lyck willingnes ther. I ordored thes I trust to shou him itt was'nt in my poor to gett my tennents persuaded to martch and ther whoill servants wer goin to the west, Gallouay and Clidsdail for shelter, so bid him ous my interest as he pleast and woud bee ansuerable for I wood axe or expeck no favor. Houever he was pleast to bee moir disscreatt then ordinar, and in 2 or 3 days tym with quartering and threats they ar all goit up sav a very feu, and the readgment martcht touards Lannerick Satterday last. Many moir ar deficient and that he'll represent vs all to the Councell (with my remisnes) I do'nt in the least doubt, in which caice I'l hav great missing of Sir G. Lockhart. I do'nt think many from this countrey will stay or be rud, bott thes from Annandaile I fear [will] bee wors then the Hylanders besyds the offishers off the whoill ar the scum off the countray and all beggars sav 2 or 3, and most overjoyt att this honnourabell imployment. No men wer so foruard and full as your nevoy Annandailes in which I doubt'nt bott Ja. Carruthers greatt diligence was in obedience to your commands att parting and to sav his master from further trouble." The writer will rather go abroad than offend the King by going up to London. People talk variously of Hamilton's reception and success, but nothing is known but what can be discovered from "our enemeis looks." The writer then refers to some political gossip of the day, and speaks in pleasing terms of Hamilton's brother [Colonel James Douglas]. He then continues, "Since wrytting this I'm told off the good neus coom laitly down . . . . which ye'r sheur rejoyses my soull." [The King had ordered the bond and other pledges required to be suspended, and all the troops, save his own guards, to be disbanded.] He has been advised now to petition for leave to go to London, but will not do so, as he desires no special advantage, but on this point he hopes to hear from Hamilton. He concludes with advice to get the forces ordered out of Clydesdale. Sanquhar, 22nd April 1678.

94. The same to the same. Acknowledging Hamilton's letters of 9th and 15th [May], which he had forwarded to the Chancellor. He denies any intention of offence in his former letters to which Hamilton had taken exception, and defends his conduct as to the militia regiment. "Your Grace is pleast to say very sevear things for my mens going to Lanrick with the melitia readgment off this shyr, in which ye must exseus me to tell you yc injur me extreamly, for I nott only caust the Commissioners [of Militia] petition the Councell for ther stay . . . . bott order't matters so and gav sutch strick directions to my peopell (most wheroff returnd ere they gaitt ther) as your countray was better and no wors off them nor is ther the least complent against any off them, so far wer they from opressing you or anny els; bott iff they had bein als rud as others pray hou coom you to blam me; was't in my poor to stop the King's militia setteld by ackt off Parliament, or wood ye doon't in my place. Next that yc shoad mistack me in this affair and exseus others who offerd ther concurrence to destroy your countray with ther whoill fors seams hard. I'm sheur we gaint nothing by the expedition bott on the contrair itt stood the shyr over 10,000 lib, and they stopt nott a week att Lanrick wher to my certain knouladg they left not one pynt of eall to pay, bott my Lord, I perceav that in this and all things els ye'r pleast to mistack me," etc. His excuses take a personal and

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injured tone. He also refers to his proposed visit to London "tho I must tell you, and many knou't, my being hear has hitherto bein off ouce; greatt noys hear off a convention and leveis in which cais your return is absolutly neceisar els nothing will stand in ther way. Hill sermons wer never so frequent and numerous tho they coom'nt yett to this shyr. They thunder anathemas against the blak-bonders (as they call us) and ane maid his repentence publickly Sunday last for tacking't, befoir Mr. Welsh wood chrissen his chyld." He tells Hamilton that it was reported that he had called the writer a perjured person, but that he disbelieves the story. Sanquhar, 21st May 1678.

95. Letter from the Privy Council, in terms of directions from the King, nominating as Sheriff deputes to the Duke of Hamilton, Mr. William Cochran of Rochsoles for the Nether ward, and Mr. William Nimmo for the Upper ward of Clydesdale. Edinburgh, 11th March 1679.

96. The same to Duke Hamilton, requiring his attendance at a diet of Council in regard to an attack upon some soldiers who were uplifting the customs duties in Lanarkshire, and as to some late conventicles. Lanark, 24th April 1679.

97. Letter (not signed) enclosing to the Duke of Hamilton a copy of the address by the gentlemen of the western and other shires, made to the Duke of Monmouth. also of the address by the non-conforming ministers. The writer has engaged that Hamilton will not give it out of his hands, nor let anyone see it or copy it, etc. Edinburgh, 6th July 1679. [The enclosures are four in number. (1.) The address by the non-conforming ministers, which in substance is similar to, but shorter, simpler, and more direct than that published by Wodrow. [Vol. II., Appendix No. 35, folio edition.] (2.) A brief address of like tenor from the gentry of the western shires. (3.) A short "Memoriall" by the Presbyterians in Edinburgh, who were not admitted to the benefits of the indulgence of 29th June 1679; and (4.) A paper of jottings apparently for a further extension of the indulgence.]

98. Packet of Prints. (1.) A copy of the Proclamation by the Western Presbyterians, then in arms, 13th June 1679. (2–6.) Some official accounts of the conflict at Bothwell bridge, 22nd June 1679; and (7.) A copy of the King's proclamation of pardon and indemnity, 27th July 1679.

99. Letter from the Privy Council intimating to Duke Hamilton that his castle of Strathaven had been selected as the post of a garrison, in obedience to the King's orders. Edinburgh, 29th June, 1680.

100. Letter from the same, sending a proclamation against "the rebells and traitors therin named," and requiring the Duke to search for and apprehend them. Edinburgh, 1st July 1680.

101. Small packet of letters from the Earl of Perth, 1677–1682. The subject of the first of the series bears on the personal relations of the Earl to the Dukes of Hamilton and Lauderdale, and is not clearly intelligible. Drummond, 5th September, 1677.

102. The same to the Duke of Hamilton. That Lauderdale had been saying flattering things of the writer, but he desires Hamilton's opinion as to his movements. He indicates various reasons for his wish to go to Edinburgh, and adds (in reference to his commission in the Highland host). "Above all I am to endeavour to shun going into the west, for tho' I be not of the Councell, I hear I am to be of the committee that are to give orders ther [Cf. Nos. 76, 78 supra] and this uil sute

very ill with my temper." He sends a copy of his commission, "in which I find they have delt a litle cunningly, for Earl Erroll told me that at first they had resolved to mention only a request that uee should joyn with and assist the King's forces, but if uee uere slack they uold send a command, backt unpleasantly, yet in the commission they say such as offerred (as if it had bein a voluntary choyce) to assist the King's forces. If the Hyland-men march, Carrick or Gallouay uil not suffer half so much as I, for not a man shall go to Stirling, but he must go through my bounds, and where they uil go through the uest once, I shal have Huntly, Athol, Caithness, Mar, Airly, evrie on in his tour to destroy my people, and if I be not in a pretty taking let the Councell judg," etc. Drummond, 1st January 1678.

103. The same to the same. Referring apparently to the deliberations of the Committee of the Council, meeting at Glasgow [Cf. No. 78 supra]. "We [the Marquis of Athole, the writer and others] have had much talk about the present prospect should be had of your Grace's circumstances. Some uold advise the bond as a good mean to put over a time, others see that may prove a snare, but our comitty uil not hear of any thing is not expressly in the instructions. Uee have not one uord of any imprisoning, so I can say nothing of that; but this night uee had an order subscribed empouering the General Major to order our marches uhen and hou he pleases until uee be at Air. This they say is levelled at Hamilton, and the adjacent places. Tho' that be about to see a friend, I am not of that opinion, for Marquis Athol's men are nixt to your Grace's interrest, and uil not be employed that uay I think. He has removed two companys from Cambuslang to ease your Graces tenants; he vous service and only begs to see hou he may do it. I study to get all I can of intelligence, but I find they are so close, no art can reach ther designs, but if they go on they must speak plain. Had Wigtown stayed uee should have begun at changing ther president and tryed our strenth that way, but nou the case at most uil be equal. Very shortly uee uil find it fitt to send home our men; Caithness is eager for it, for his land uil be laid uast if they stay long," etc. 31st January [16]78.

104. The same to the same. As to the effect of a recent diet of the Privy Council, which was little else than to commit consideration of "what to doe with the desire of these Lords to be dismist, and what certification to appoint against the refusers of the bond. As to the first it is said they will be suffered to goe, and the militia of the three Lothians sent in their place. Earl Wintone on this occasione is not abl any longer to conceale his weariness of Duke Lauderdales consort, and so is to abandon it, and his charge of the militia too, which they tell me he declares he will dimitt. The certificatione cost them much trowbl and they tryed all wayes they cowld to find a legall on for it, and at length have resolved on a charge of horning for lawburrows at the King's instance. They have also resolved to disarme all men, even of their very swords, not spareing your Graces self. Your Grace was named on that occasione and particularly resolved to be so treated. Lord Chancellor (Rothes) took occasione of your being named to speak somewhat home against it, said it was the mark of the beast so to say, for that the usurpers had practised it and told them that for theire owne sakes they owght not to doe any such thing, and saied to Duke Lauderdale that for his owne sake he owght not [to] suffer so strang a practise as to disarme a Duke, without laying to his charge any sort of crime. To which they say Duke Lauderdale returned some unmannerly answere

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like himself which occasioned some heate there, and that Duke Lauderdale followed him (Rothes) over to his owne howse, and that there wer very warme words betwixt them there. Each of them upbraided other as the cawser of disorders in the country. I have not beene abl[e] to gett the particularieties of the story from Lord Chancellor. He hath been very ill to-day, and I was all this evening till ten at night engaged in talking, first, with Sir G. McKenzie, and after with the Archbishop of St. Andrewes, with both of whom I raked wp all our present affaires rowndly, and both sweare they have no accessione to these cowrses, and sayes, God knowes, ill enough both of the things and theire actors. But there is not on singl Cowncellor other wayes, and yet all goes on." The state of Fife is to be considered. The Archbishop "talks much of the greate approbatione these cowrses have at Cowrt, and even in the Parliament, and I have some reasone to believe he does it not without some grownd, and it is no wonder, everything beeing considered, and all Scotland made prisoners by on proclamatione. . . . When your Grace coms to towne and has your sword taken from yow I find few gentlemen intends to trowble the street with theirs. There ar few honest men but say that if Duke Hammiltone be putt to walk without his sword they will even lay aside theirs and beare him company. My Lord Lawderdale is exceedingly enraged at Sir John Cuningham and Sir R. Sinclare and Sir George Lockhart for putting off the subscribeing the bond." Edinburgh, 15th February 1678.

105. The same to the same. Chiefly expressive of personal regard and service to the Duke. In a postscript the writer adds, "My brother . . . sent me word that I am considered as a very ill man for not countinancing the advancement of the design of the neu modell in our shire, and that it was Earl Queensberys opinion I should be at the nixt meeting of Councell, but I intend it not." Drummond, 12 September 1680. [In another letter, not dated, but evidently written about the same time, the Earl writes, "A friend told me I had been considered as a friend to the neu modell (of militia) . . . The Duke is so just, I doubt not but he uold bear me uittness that I said in express terms to him that though it should pass, as I was doubtfull it uold not, for evrie one it wold bring out it uold loose the King 20 hearts, which were the only treasure he could bragg of in Scotland. 'Tis true I may be a fool and soon mistaken, but if I be I shal never make scruple to retract it when I discover my error or deny what I am really guilty of."] The new "Modell" referred to was a proposed alteration and rearrangement of the militia and other troops in Scotland.

106. The same to the same." ". . . I the rather write to yow that I find the Duke [of York] most affectionatly disposed touards the interrest of your family and very uell satisfyd with your self. It is then to beg that if your conscience forbid you not, you uold be pleas'd to take the Test. Your Grace sees hou very bluntly I propose it to you, but it is because I knou my arguments could not influence you; I have had enugh the experience of my own weakness and your Graces strenth of reason to judge so. But I am sure except a religious principle determine you (uhich I see no ground for here) all humane arguments are for your doing what I desire. Your Grace I hope has the goodness to belive I am endeavoring to give those I converse with a just character of your loyalty and good principles as to Goverment. I am so well aquainted with evrie thing relating to you as to that, that I am able to ansuere all objections, and really you need no justification with the Duke; he is disposed enugh to expect evrie thing that is kind

from you, and nou if this step uere made I dare ansuere you shal find your account in it." This proposal the writer adds, proceeds from affection to Hamilton. Edinburgh, 19th December 1681. [Cf. No. 277 infra.]

107. The same to the same. Assuring the Duke that his previous letter was written only from zeal and affection, to stop the mouths of enemies and encourage the endeavours of friends, etc. Edinburgh, 28th December 1681.

108. The same to the same. Would have waited on his Grace, but now can do no other service save to represent, to Hamilton's advantage, how faithful he is in the service. On Lauderdales death the writer and other friends had asked the Duke of York to bestow the blue ribbon on Hamilton. The Duke had already asked for it, and "notwithstanding that the women keep a devilish coyle about it," is hopefull of getting it for Hamilton, etc. London, 29th August 1682. [The Duke of Hamilton, in May of this year, had taken the test and been added to the Council; hence the favour of the Duke of York.]

109. Packet of letters from Sir James Turner and Sir Thomas Dalyell, between 22nd April and 22nd August 1682. These letters contain nothing of importance, Sir James Turner's being chiefly requests, or demands, in reference to forage and quarters and the amount of corn, etc. to be supplied by the heritors; while Sir Thomas Dalyell's chiefly refer to the movements of troops. A few of the letters relate also to prisoners taken or under examination, but no one of any prominence is named.

110. Packet of letters from the Privy Council, copies of Acts, Commissions, etc. during the years 1681 to 1683. The Commissions refer to Hamilton's office of Sheriff of Lanark. The letters of the Council during the earlier years of the period are of no special importance, chiefly relating to Hamilton's castle of Strathaven [Cf. No. 99 supra] and the placing of a garrison there, etc. Of the later letters the following may be noted:

Letter signed by "Will. Patterson," clerk to the Privy Council. That his Majesty had put a present stop to the signature in favour of the creditors and children of "the late Earle of Argyle" [the ninth Earl, then a fugitive]. Most people think the children will get nothing. The writer then refers to a Mr. William Spence, now in irons, servant of the late Earl of Argyle, among whose papers were found two letters, from the Countess of Argyle. Sir Daniel Carmichael, and a D.H. were also implicated by the papers discovered in possession of Miller, a correspondent of Spence. Edinburgh, 12th October 1683.

On the 24th of same month, the same person writes that the committee for public affairs were much troubled with the account of two conventicles lately kept in the shire of Lanark, "whereon Mr. James Renwick, a notorious trator, preached and baptised about 20 children." The committee have ordered citations againt the Laird of Dundas, for the conventicle held on his ground in Shotts parish, and against the trades of Glasgow, for that held on their ground at New Monkland. The writer also intimates that as there were present beside Mr. Renwick, "other declared rebells and some of them in armes," a citation had also been issued against Hamilton himself and his deputes, under the proclamation requiring all Sheriffs, &c. to apprehend such persons.

There is also the service copy of the citation, which recites the places and houses where Mr. James Renwick preached, with the families of which the children were baptized, and the names of those alleged rebels

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and traitors who were present. The conclusion of the summons is that the Sheriff of Lanark and his deputes, with other gentlemen implicated, should be severely punished for not doing their duty in apprehending the persons accused. 22nd October 1683. Following on the citation is a letter to Hamilton from Sir George Mackenzie of Tarbat, beginning "I heare that yow take it not weell what the Comittee of Councell did in relation to the conventicles at Shotts and Monkland. I was present and should repent as soone as any if I concurre in the least wrong to yow, and should regrate if your Grace did appeare to tak it in ill part if it was our duty. My Lord, a conventicle was keept, it is the begining of a new dance ; had wee been supinly negligent, our censure had been just. There is a course prescribed by law and if it be prosecute all places will be too warm for conventicles; wee saw the course proposed was not taken, where it failed tryall can only prove. Now, my Lord, it was in course to call thos respectively concernd. (If it be true quhat I heare, that your Grace hath performed what you should, this is the way to have both King and country to know it.) But my Lord it was necessar to raise sumonds on this head, that all the nation might know what is expected of them. And to think this to be the staging of any persone of quality, wee could no more think it so, then it is to give generall charges for the King's dues to Shirrefs and others. My Lord, if I dared offer advice unsought, I would wish this rather to be approven by your Grace then otherwayes, for your Grace may justly exspect all the deference due to yow in it, and nothing shall be more concurred in by your Graces most humble servant, Geo. McKenzie." Edinburgh, 2nd November 1683.

111. The following may be noted as showing how the regular law officers were coerced in their administrations. Letter, J. Somervell of Spittell a Sheriff depute of Lanarkshire, to the Duke of Hamilton, that he had received a list of disorderly persons in certain parishes, but before receiving such list, he had held courts since January in every parish in the upper ward with such effect that the churches there were better filled than they had been for many years past. He meant to do the same in the lower ward, and had summoned the parishioners of Carmunnock accordingly, and had made an arrangement with the minister to hold a court at the church there. He had also cited other persons in other parishes and meant to make a report to his Grace, but had received a letter from Major White requiring him to send in the rolls of the parishes and threatening him extremely. He desires advice on the subject. Spittell, 6th March 1683. [Major White's letter is as follows :—" Glasgow, 5th March 1683. Sir, I am informed yow have had lately befor your court the parishioners of Carmunock for their church disorders. Since the Councill hes been pleased to impower me, by speciall instruction, to call for the inrolments of the severall courts holden by shirrefs, baillies of regality and royalty to the effect I may consider whether their proceedings against them hes been adequate to law, I therefor require yow as yow will be answerable on your perriil to send by your clerk those inrolments to me here at Glasgow betuixt and Thursday next the 8th instant, peremptorly, quhairin if yow faill, I will represent the same to the Councill, for I would have thought that your conjunct Mr. Menzies [who was summoned before the Council for acts of leniency] might have been ane example to yow not to have hurryed over that parish of purpose to protect them from the execution of the law rather then to punish them, and I will assure yow there will be strict notice taken and exact enquirie made in your proceedings. Therefor faill not to send me your inrolments not only of the parish

of Carmunock, but lykewyse of Kilbryde that hes been done long since, both being in my commission," etc.]

112. Letter from General Thomas Dalyell, in answer apparently to a complaint by Hamilton as to certain abuses, declining all interference, on the ground that the troops under Urquhart of Meldrum, Skene of Hallyards, and Sir James Turner are wholly independent of his command. Glasgow, 3rd October 1683.

113. Copy letter the Duke of Hamilton to the Laird of Meldrum (Adam Urquhart), that he had learned from the bearer James Wilson of Ryfoot of Kilbride, his vassal, that six of Meldrum's dragoons have been at free quarters at Wilson's house for two days without stating the reason. That the man had taken the Test, and so far as the Duke knew was free of any guilt. The Duke therefore requests that the soldiers be removed and satisfaction given to Wilson for the damage sustained. The Duke is further informed that Meldrum had cited the tenants and feuars of Lesmahagow in the Duke's regality to appear at Lanark for some unknown cause. The writer continues, "Having a jurisdiction of my own, I have discharged these people to appear before yow, while I know for what cause you cite them, and by what authoritie you doe it. There are diverse complaints come in daylie to me furth of my said barronie of Lesmahagow and Avendale against your soldiers, who take away the people's butter and cheese, kills their sheep and hens, takes them from their own harvest and forces them to shear others cornes and gives them no allowance or satisfaction therefor. I desire that in these things you will give just satisfaction, that I may have no just ground of complaint against yow nor be necessitat to represent these abuses and miscarriages to these who will, I hope, redress them." Hamilton, 4th October 1683.

114. Adam Urquhart of Meldrum in reply, that he had removed the soldiers from Wilson's house but detained the man himself, who was known to be guilty of actual rebellion, till he had given security. In regard to the parish of Lesmahagow he thinks Hamilton to blame for discharging his vassals from attending the citation, as they are grossly guilty. He trusts Hamilton or his deputes will punish their disorders or suffer it to be done. As to forcing shearers, he thinks it a less fault to force some few honest men if any be in that part, to give the King a day in harvest, than to let forfeited rebels, in defiance of authority, meddle with the fifth year's rent as they had with the four years since the rebellion. He offers to wait on Hamilton next day. Lanark, 5th October 1683.

115. Copy letter from Hamilton in reply, excusing himself from meeting Meldrum and appointing another day. He adds, "I think I might without vanity [have] expected if yow have any commission of jurisdiction in this shyre have acquainted me with it before yow had acted anything on it, and untill I know it I can take no notice of it." Hamilton, 6th October 1683.

116. Four letters from Sir George Gordon, first Earl of Aberdeen, Chancellor of Scotland, dated 26th January, 10th and 30th June, and 6th December 1683. The only one of special interest is that of 26th January requiring Hamilton to arrest Sir John Harper [of Cambusnethan] one of his own sheriff deputes and send him to the Tolbooth at Edinburgh, for "crymes tending to treason." [Sir John had been accused of correspondence with the Covenanters, and too great leniency in dealing with the Presbyterians.]

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117. Packet of letters from Lieutenant-General William Drummond of Cromlix (afterwards Viscount of Strathallan). In the first, of date 5th December 1684, Drummond regrets he had not been able to visit Hamilton. He is despatched back to the west with most part of all the forces to "stop the wantonness of thes fugitive rebells who so insolently publish their declarationes and disturb the commune peac. I am to plant garisones in several shyres and particularly in Clidsdaile, at the lead mines, at Crawfoord, in case Newtown Weers (Vere's) howse be not sufficient, at Blackwood or Coirass [? Corehouse] or both, and for provydding thes places the Concell's letters wil be heasted to your Grace to call the heritors concerned to furnisch them with all the ordinarie necessaries thats usuall." He begs this supply may be as speedy as possible that the troops may be hastened and less hurtful to the district. He will labour to be as easy as he can with such a train. Great complaints are made of Hamilton's shire which is called the "nurserie of rebells," etc. Edinburgh, 5th December 1684. [The other letters of Lieut.-General Drummond dated respectively at Lanark 7th, Carmichael 8th, and Ayr 13th December 1684 are of no special importance, as they are chiefly repetitions of the first.]

118. Packet of letters from the Privy Council and from various members of it, including the Earl of Perth as Chancellor, Sir George M'Kenzie, John Drummond of Lundin, and Sir James Foulis of Colinton. The dates run from 24th June to 30th December 1684, with two letters of 9th and 14th May 1685. The letters are for the most part formal, relating to conventicles, meetings of Council, Committees, etc., and contain nothing of special importance. In this packet are a few prints (1) A proclamation ordering the prosecution of all rebels, etc. Edinburgh, 13th April 1683. (2) A proclamation against fugitives, with lists of said fugitives. 5th May 1684. (3) Proclamation by the Duke of Hamilton and others, a Committee at Glasgow, prohibiting the wearing of arms. Glasgow, 3rd October 1684. (4) A proclamation by the same persons summoning the freeholders. Glasgow, 7th October 1684. (5) Proclamation against those who issued "The Apologetical Declaration," etc. [cf. No. 117 supra]. Edinburgh, 30th December 1684. [No. (2) is printed by Wodrow, Vol. II., App. 94.]

119. Packet of letters. (1) A draft letter, of a somewhat obsequious nature, the Duke of Hamilton to King James the Seventh. 14th February 1685. (2) The King's reply, holograph, accepting Hamilton's professions of service. Whitehall, 28th March 1685. (3) Copies of the documents found in the closet of the late King, setting forth the superiority of the Roman Catholic Church. (4) Formal declaration, signed by King James, that the annexation of the office of Justice General of the Isles to the Crown does not include the Justiciary over the Isle of Arran, which belongs to the Duke and Duchess of Hamilton, with relative Act of Parliament enclosed. (5) Letter from the Earl of Sunderland to Hamilton in reference to granting the title of Earl [of Selkirk] to Lord Charles Hamilton. Windsor, 31st May 1687. (6) Letter signed by King James, authorising Hamilton to represent the Sovereign and formally admit the Earl of Perth, Chancellor of Scotland, into the Order of the Thistle. Windsor, 6th June 1687. Copy of the Statutes and of the Oath of the Order enclosed.

120. Small packet of papers, dated in May 1686, being copies of the proposed Act for abrogating the penal statutes against Papists, and some contemporary pamphlets on the subject. Also a letter (not dated) from John [Paterson] Bishop of Glasgow. The proposed Act, which

was never before Parliament, and the pamphlets, are printed by Wodrow. History, Folio Edition, Vol. II., pp. 594, 595, and Appendix, Nos. 118, 119.

121. Packet of letters from the Earl of Perth, Lord Chancellor, between 11th November 1684 and 1st December 1687. Many of these are of no importance, but the following may be noted. :—

Writing from London, on 26th November 1685, Lord Perth says, "Since my last nothing of moment has happen'd, only uee had a meeting before the King in which Duke Queensberry and all his crue spoke very much nonsense in the matter of the mint, and at last confest freely they did not understand one jot of it. That's for that and nou it is quite layd asyde until a Parliament prepare it. In the nixt place the so-much-talkt of fynes that uere said to have been dispos'd of are not yet given nor lyke to be at this bout, and in the third place Duke Queensberry has met with a sensible mortification in that Orbiston got not 200 lib. of pension. This I am told by a good author. It is talkt yesterday and today that the King has restored all his servants and officers of the army (not excepting Faux, Darcy, and Cook) to his favor and the assurance of continouing in their employments which discourages very many. But on the other hand some believe if February uere come and the pulse of that nixt session felt a little the King uil take measures more conform to uhat he aluays proffest as to encouraging honest men and discountinancing rogues uhile he uas Duke and more for his own interest. But the King is very close; he says much in discourse of his care of me and those who do me the honor to be kind to me, but I have seen no effect of it as yet, houever I uil wait," etc.

122. The same to the same. London, 10th December 1685. . . . Duke Queensberry drives off his journey very strangely. The King has prest him to be gone until he is ashamed, but his doing so serves to no purpose, for if a good seeker should meet with a good no-sayer, Duke Queensberry has impudence enugh to resist all the King can say and make a jest of it over a bumper. Marquis Athole has found out the pretext of getting a portion from Earl Strafford to his daughter here, to keep him here to be legier embassador this winter. Earl Strathmore pretends to marry his son (but to uhome is the question), and he will stay upon that pretext. The one has for his province to keep them right the Verdens, Mrs. Bromly, Mrs. Dawson, and the Bishop of London and Earl Feaversham. The other has Earl Midleton, but of late he has made great advances to me. So has Lord Churchill; but the politique blade is Earl Breadalbane; he has the Presbyterians and the Treasurer, and thus Duke Queensberry thinks he has all secure. Two things vex him, Lord Maitland's success against Sir William Bruce, which affaire is remitted to the session for their opinion to be given before uee go doune. The other is Niddry's getting of the office of Chamberlain for the taking up the rents of the forfaulted estates. But what grates his soul the most is that Claverhouse has gott back that monye he caused him pay when in the hight of his picque, which my brother has calculate so as to bear anual rent upon anual rent and the Treasurer is to pay it upon sight of the precept. Uee nou speak together, uhich is all, and (as the Italians say) uhen people put one bolt upon their door to gaird against a ennimie tuo is requisite to save one from a false friend; our sham reconciliation puts me only a litle more upon my gaird. Your Graces son Earl Arran does wonders, is diligent, adroit, and very frank in our cause, and I hope at long run God uil help us to get through the difficultys uee meet uith from this false

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vindictive tyranous man uee have upon our backs. If the King sau into his heart as by woefull experience I do all uere uell; but I find he must yet have some further proof of uhat he is inclining to belive, and I belive a few monthes uil open his eyes as to him and others too," etc.

123. The same to the same. Edinburgh, Christmas day [1685]. . . . I left his Majesty unalterably determined as to his good opinion of your Grace, and resolved to shou you all the kindness imaginable and he said that while your Grace and I continoued friends there was little to be fear'd for any bodys bragging of power with him for he uold not suffer us to be run doune, tho some people had uarned him to take good heed uhat pouer he put into your hand and not to trust me in your particular, for I was too partiall for you and it uold be seen. But I hope your Grace uil make no further vse of this than to gaird against one capable of so much baseness as is the suggester of such devilish insinouations," etc.

124. The same to the same. Edinburgh, 30th December 1685. After referring to Sir George Lockhart's appointment as Lord President, the Earl writes: "My Lord Treasurer [Queensberry] is arrived, but sees no company today, so except Hew Wallace discover somuhat of his Graces intentions nobody wil be the wiser as to what is resolved. He took it unkindly that his reception had not the splendor which was expected by him. As to affaires above uee must wait, and I am of opinion it uil be the nixt session of Parliament that wil determine the King as to many things relating to vs. I long exceedingly to have the honor to wait on your Grace; when you come uee must resolve on uhat uee must do for self-preservation and the interest of this poor countrie, for if some people get their uills destruction and ruin is too soft treatment for some of vs," etc.

125. On 7th January 1686. Earl Perth, after a reference to Sir George Lockhart's missing his former income, and casting many a wishfull look towards the bar, writes: "My Lord Treasurer got some neus on Sunday which (they say) gave them great joy, but I cannot learn why, and I belive it must have been somuhat of no great moment, or els a sham, for such things as should elevate are never secrets very long. . . . I hope a feu ueeks uil (as Earl Tweedale speaks) drau bye the courtine a litle more and then uee uil see better hou to ualk. Many are hanging in suspense and a glimps of light uold soon give them aim uhere to go. Our Treasurer [Queensberry] is lying at catch to see uhere to find a ground of clamor; but I hope he shal find none from some of us, and I really expect he uil give us the first occasion; but wee will wait for it. I am resolved to have the countrie well payd by the army and your Graces assistance to that good work and to the advancement of the matter of trade uil be of infinite advancement. Some means to do good to the ruin'd countrie must be light upon otheruays all uil go into confusion, for poverty renders men desperate and uneasie, and to have the nation in that tune nou is to be prevented by all possible endeavor. Wee wil gett the Bishops as one man, all except tuo, Glasgow and Dunkeld, and by there help uee may hope to do somuhat to prevent this great mans confounding of vs, for they can be very serviceable against him tho in most things they are no great help to any body," etc.

126. A week later, Earl Perth writes, evidently referring to Queensberry, "Our friend here has much resemblance to our spirituall ennimie who goes about lyke a roaring lyon seeking uhome he may devore, and

yet (very oft) puts on the fair shew of an angel of light. He does litle here and all his uorking and underhand projects are managed by my Lord Rochester. This uil last until either Earl Rochester find it uneasie or the King forbid it, or that both be known," etc. Edinburgh, 15th January 1686.

The remainder of Earl Perth's letters are not of public interest.

127. Packet of letters from John Drummond of Lundin, first Earl of Melfort, Secretary of State to the Duke of Hamilton, between 1st December 1685 and 31st May 1687. The following are the most important :—

Letter dated London, 3rd December 1685. "The King has commanded me to inform your Grace that this night he called for the Chancelor [Perth], Thesaurer [Queensberry], and myself, and told us that he uold hav us to liv civilely together and uhatever grudges might hav bin amongst us he uold not hav his characters to clash together ; that he uold hav this not only amongst us hear but amongst all belou and that he uold not suffer his powr in ther hands to be made use of to opress any man, especially any of your or our frends on the one side by the Thesaurer or his frends by any of us, but that equall justice, equall favor, equall civility and easynes might be payed to all ; assureing all of us who did any thing to the contrary that they should incurr his Majestys displeasure to ane exemplary degree, but that this should not hinder any from prosecuting vigurusly his service nor makeing any propositione for that purpose in any judicatory wher they are members nor from giving him the state of the mater wher any disagreement may be, and tho his Majesty will not beleiv any concerned in uhat relates to any in oposition to them yet he will take such uays to be informed as shal fully lay befor him any fault or miscariage uhatever, or any partiality of uhat kind so ever it be, that so he may in the begining cheque any such thing and make his service and servants go on as easy as possible in ther course and keip himself free from all unnesessary truble." He refers to his brother's [Earl Perth's] letter for further details. [The Earl of Perth's letter, which accompanies Lord Melfort's, states that the King first took him aside privately and proposed that he should live civilly with Duke Queensberry. "I told him I had ever lived civilly with him and all men, but as I should ansuere to God, I could never trust him nor love him (except as in Christianity I uas bound) and that to bid me live as if I had any value for him was uorse than the galleys to me." The King urged the matter and the next night called them together as related in Melfort's letter. Perth promised obedience for the future. Queensberry vowed to God "that he both loved us better and trusted us more than his own brother and that to be push't by us was a dreadfull surprise to his heart. I blest myself and said nothing for so monstruous a perjury was pretty odd, but I belive he gaind no credit by it. Houever the King prest no more than a generall civility, and a guairding against cabballing which is just nothing in itself; but it has been a master peece of theirs. They have gott ther wills, they have gott vs under their feet and nou to be forced to seem (at least) to kiss the rod and chop up a friendship (in outward sheu, tho I told his Majesty Duke Queensberry was an atheist in religion, a villan in friendship, a knave in business, and a traitor in his carriage to him, and so could never either have esteem or love from me) uold loose me in the eyes of all men. But upon the whole matter I have only followed a course I could not shun, obay'd a command and things uil be uorse than ever. For me I'm struck with it and knou not hou to carry, but mortifications have so crouded upon me I'm now hardened with sufferings . . . Poor Lord

Arran is vext at the heart and all of us are in extream affliction to be made beasts of and laught at to boot."]

128. In reference to the same subject, Lord Melfort writes on 17th December 1685. . . . "I had ane accompt from Lieut.-General Drummond hou our frendship has allarmed, but trust me ther was no reason for it, for we kno all ue hav to doe with too uell to trust them, and your Grace and others uill think ue kno the uorld too uell to desert them. The truth is I found a fauning behaviour inviteing trust, but I assure your Grace the King uas just obeyed and no mor; we bowed, saluted, and sometimes spocke, but that uas all," etc.

129. On 4th March 1686, Lord Melfort writes, evidently in connection with the King's desires in favour of the Roman Catholics. That his Majesty's commands had been sent down as to the ensuing Parliament "by which your Grace will see the fatherly care that his Majesty has of all the concerns of the people. What he desires from them is only to be as mercyfull to one another as he inclines to be to all." The writer adds that the King depends on the Duke to further his wishes.

130. The same to the same. London, 17th March 1686. On the same subject "I uas never mor surprised then by your Graces last to find the Kings desires get such ane ansuer . . . The King has called up your Grace my Lord President [Lockhart] and Lieut.-General Drummond that he may knou from your selves wher your difficulty lyes, for me it is not possible for me to imagin wher they are, for I have heard all of you many times say that it uer barbarus to put the laus in execution and some of the Se [cret] Co[uncil] hav wreaten so much and hou you should think it consistent with the King's honor to suffer thos of his opinione to be murthered or forfeited for ther opinions only seimes strange, and as for the test I see no uord in it that can inferr any obligatione to keip up thes laus against the Papists, but of this I hav said too much, and I hope befor this come to your hands ye are fully convinced, and I am sure thers no Churchman of the Protestants uho will not think that they make a good bargane, the King on so easy terms allouing them all the security for ther religion they can uell invent for themselves consistant with this mater that does not tuch them. Indeed I uas so farr from thinking that your Grace uold hav scrupled that I thought ye uold hav bin the first man," etc. He defers further argument till they meet, but continues to press the matter in a similar strain.

131. The same to the same, 2nd May 1686. He finds all this matter will depend upon those who were in London, for all have made "some shift or other to delay any opinione till it be seen if you uil head any party to oppose so its to you the King uill oue the complyance if all go right. If otheruays I most in my concience beleiv the King uill oue to you the miscariage if any be, which I am most assured ther uill not." The writer further reminds Hamilton that he and Sir George Lockhart are guardians of the King's prerogatives and that none should be lost in their time.

132. The same to the same. 5th May 1686. Written in terms similar to the last. One sentence runs, "I most informe your Grace that its reported ane insolency has bein committed by the diocese of Aberdein [an address by the ministers there against Popery. Cf. Wodrow, Fol. Ed., Vol. II., p. 590.] Hav a care of the ministers adresses in time. You had a father-in-law; if his ghost could rise againe [he] uold bid you beuare of them. In plaine peace to bely the King's designes and adress against the King's demands in Parliament, for sheame. Lett us hear of the punishment befor the crime becom publique hear," etc.

133. On 8th May 1686 Melfort writes, ... I am sory to find that your Grace lays such ueight on a tolleratione to fanatiques and mor that that designe of the doing favor to them should hav bein divullged befor the Act the King is so much concerned in uas past. It has given the uorst cast as I uell foresau it uold to the King's affairs by allarmeing the Church and Cavalier party." He again insists the matter should not have been mentioned ere the Act was past. But even if the Act be lost, the voting will show on whom the King can depend, which is of as much importance.

134. On 24th May 1686 Melfort writes briefly, commending Hamilton for going on firmly in the King's service. On the 22nd he wrote exonerating Hamilton from being the divulger of the King's intentions as to the Presbyterians. In reference to the proposed Act he adds: "The bishops are positiv that its perjury. I kno not who gav powr to the bishops to explaine ane oath of State; I am sure ther lordships uold not take it on ther oun interpretatione till the Councell explained it for them and hou they come to giv advice I kno less. I am sure thers such acts against converseing or medleing in the Kings affairs besides preaching that I am of opinione some uold be content to lett all sanguinary laus go together if they had considered that themselves might be free in the croud, if it be true they hav preached as is reported," etc.

135. On 2nd June 1686 Melfort writes that the King had so far approved of the [draft] Act. He thinks that as worded it is sufficiently secure against that interpretation of the test which is put upon it. "The King, who is the legislator, gav it never that sence nor can allou it to pass so, but hav uhat sence it uill this Act secures all Acts that uer made befor even that concerning the test, and declairs that they stand in full force and vigor to all intents and purposes, so pray lett us hav no mor debates for this is the Kings essay, and any mor jangleing uill giv him the pet past all our powr to cure." The writer continues to urge Hamilton to be zealous for this, seeing there can be no conscience in the case, not to exasperate the King, to show how great he is by the number of votes he can bring. He concludes by picturing the affront the monarchy would receive by opposition, etc.

136. On 10th June 1686 Melfort writes that he is sorry to hear of the "ill hopes ther are of the Act concerning the Roman Catholics; but I am in your Graces mynd as to the bringing it into Parliament if ther be not probability of its carieing, and I tell you as one of the Secret Committy I think the King is of the same mynd too. Your Grace sees what it is to lett Scotsmen consult too long on any thing, they are not to be so used, but I hope ue uill all be the beter prepared for uhat may come the less ue find of favor from men or even from our own frends who should be. Your Grace has done your part, and I am confident by so doeing has approven yourself a fathfull servant to a very good master. I am als sory as any for the Bishop of Dunkell [Bishop Bruce, who preached against the Papists, and was deprived of his office], but it is that he should have deserved it not that he should be turned out. . . . I am ignorant of any freedom members hav to speak reflectingly on the King in Parliament or out of it. I am lykeuays sory for the Bishop of Ross, but surely the divell never inspired a man uith a mor hellish divise to hinder the King's service, and it ought not to be tollerat in a clergyman of any kind," etc. [The Bishop had spoken very plainly to the King's Commissioner, the Earl of Moray.]

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137. Several letters follow, containing various advices and warnings. In one of these, dated at Whitehall, 21st October 1686, Melfort says, "Ther is no difficulty nou to kno hou to serve for the King's designes are sein. He uill secure the Protestants in all things, but he uill at the same time secure the Catholiques, nor can I see hou aither in Christianity or charity it can be denyed to him. Thes uays of justice your Grace has mor generosity (tho ther uer no loyalty in the case) then to oppose," etc.

138. The letters following the above chiefly relate to matters of finance, revenue, trade, and other Treasury business with which Hamilton was connected. Melfort also expresses the hope that Hamilton would concur in the King's wishes in favour of his Roman Catholic subjects. In this he was disappointed, and on 1st March 1687 he writes, "I never was mor afflicted then to find that you and your tuo sones had refused to signe the letter to the King [expressing the Council's obedience]. It has opened the mouths of all your ennamys and given hopes to a party I am sure you are not off. I shal not expostulate uith you, but I uold hav thought the lauers signeing a sufficient reason for me, the mater being mor legall then concientious. But laying all that asyde, the disputeing the Kings powr is no complement to any King nor to his successors naither, nor is ther any lau against this, so the point was intire in the prerogative. Alace my Lord uhat can any body doe uhen in nothing its possible to make you sho yourself in the Kings interest," etc. He continues to urge the Duke to sign. [The remainder of Melfort's letters are of no importance.]

139. Packet of letters from Sir George Lockhart of Carnwath, President of the Court of Session. Many of these letters bear no year nor month, but seem to be written during the year 1687. They are written in a very small cramped hand which renders them difficult to decipher, but they seem to contain nothing of special historical importance. The most noteworthy is one dated Edinburgh, 4th January 1687, in which Sir George Lockhart relates an interview between himself and Lord Chancellor Perth, when the latter at first expressed himself very warmly about repealing the penal statutes. Lockhart demurred, but at last they came to a compromise in the matter, that the subject was not to be laid before the Session if reasonable expectations were given of men's being frank in Parliament. Lockhart thought men would be willing to go as far as the last Parliament did, and the interview closed.

140. Another packet of letters from Sir George Lockhart, written during the year 1688.

141. The Duke of Hamilton was sworn a member of the English Privy Council and took his seat on 14th October 1687. On the 11th of February 1688 he received the following from the King: "Whitehall, February 11, 1688, before this getts to you you will have had tyme to discours with some one of the law as well as of the gospel concerning the Test and penal laws, so that you may as well now as at any tyme give me an account if you can comply with what I desire and joyne with those of my loyal subjects who are for the repele of those laws and test and for settling of an intire liberty of concience, which you know is what I drive at and make no doubt of bringing about in all my dominions. You see the condecention I had for you in not expecting an answer from you before you left this place, and that now I do not lett this question be asked you by any but myself, but now I must do it and expect your positive answer as to those points I have mentioned to you and of

which I discoursed with you before you went, and that by letter to myself. If you come the length of what I desire, of which I can make no doubt, then I leaue it to you to lett the rest of those I trust in my affairs there know it or not as you thinke best ; but in case you cannot comply then you are to lett nobody know it but my self and Lord Sunderland, who sends this to you, and I expect your positive answer within two or three days after your having receued this. James, R." [Lord Sunderland's letter transmitting the above is dated 14th February. In it he states that he had told the King that Hamilton had understood that his Majesty would not require a positive answer until the Duke's return from Scotland, but the King had said that was a great mistake, and he could not suffer delay. The writer trusts Hamilton will give a satisfactory answer. There is also another letter, unsigned, to the same effect.]

142. Draft letter, Hamilton to the King in reply, expressing his extreme surprise to find he had mistaken the time assigned for consideration of the question. He had been ill and unable to consult anyone " of the law or gospell [so] as to receive that satisfaction as I can give your Majestie a positive ansuer how farr I may joyne in the repeall of the penall lawes and test for setling an intire liberty of consience. I have been ever and am still of the opinion that none should suffer for consience sake and that every peaceable subject should be alloued the exercise of their ouen religion, but how this is to be done with securety to the Protestant religion, our laws, and oaths, is, in my humble opinion, what will desairve serious consideration, and is above what I can presently determine myself in. Therfor I do most humble beg of your Majestie to pardon my not being more positive in my answer and allou me a forbearance untill I wait on yow," etc. He concludes that no earthly consideration would make him lose the King's favour. 25th February 1688. [Hamilton also writes to Lord Sunderland, somewhat more fully. He wishes rather he had spoken to the King of this subject while at Court, as he would have said several things which are not easy to write. He had been ill, but had been able to have some discourse with Sir George Lockhart and the Archbishop of Glasgow as to the repeal of the penal laws and test " but it seams some such questions haveing been put to them and they on oath not to tell their ansuers it was but litle satisfaction I could gett from them, onely this farr, I could find that they wer not of one minde and that none of them come up the length to the takeing away the penall laws and test, for setling an intire liberty of consience as his Majestie proposes it to me, by which I see this matter must be a worke of more time and consideration. Therfor I could not yett give his Majestie a more positive ansuer then what I have write, which I presum you will see." Hamilton concludes by begging for Sunderland's friendly assistance with the King.]

143. Letter by the Prince of Orange [apparently a copy] desiring the Marquis of Halifax, the Earl of Shrewsbury, and Lord Delamere to tell King James [the Seventh, who had returned to London after his flight] that " it is thought convenient for the greater quiet of the city and for the greater safety of his person that he doe remove to Ham, where he shall be attended by guards who will be ready to preserve him from any disturbance. Given at Windsor the 17th day of December 1688."

144. Draft letter, the Duke of Hamilton to King William the Third, carried by Lord Ross. That the difficulty of carrying on affairs in the meeting of estates, and securing the peace against the Castle of Edin-

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burgh and Viscount Dundee, had prevented an earlier reply to the King's letter [of 7th March] and also the consideration of settling the Government. They are threatened with invasion from Ireland and the north of England. He asks for officers and other assistance to put the kingdom in a state of defence. Hamilton also refers to the letter sent by King James to the Scottish Parliament and to the Jacobite members, who were a strong party. 23rd March 1689.

145. Letter from the King in reply. After compliments, "You have met with more opposition than could have rationally been expected. We doubt not you will use all fair means to reclame these who act not for evil ends but doe mistake the right means. The mask being now taken off by the conjunction of the greatest enemies of our religion we can not think that any who are not wholly perverted will not see the necessity of your union, and going on frankly with the common resolutions of the nation, for preventing your countrey to be the seat of warr and thereby may become a field of blood." The King recommends levying forces, and will send Scottish officers to command them. He expresses confidence in Hamilton. Hampton Court, 2nd April 1689.

146. Hamilton to King William, with a packet of intercepted letters and papers from King James to the Earl of Perth and other Jacobites [cf. Nos. 160, 161 infra], in consequence of which Hamilton had pressed forward the settlement of the Crown, which had been agreed to and proclaimed. The question as to the oath had not yet been settled, but Hamilton congratulates the King and Queen on their accession to the Crown of Scotland. Holyroodhouse, 17th April 1689.

147. The King to Hamilton, acknowledging his care and prudent conduct as to the packet and other particulars, and expressing a hope that he may be able to reward him. Hampton Court, 25th April 1689.

148. The King to Hamilton, intimating his resolution to turn the Convention into a Parliament, and to appoint Hamilton as Commissioner, the present exigency being a reason for not calling a new Parliament. The King adds, "I doe intend to satisfy my people in makeing laws to prevent or remed whatever is or may be justly thought greivous to them. I doe not beleive the true interest of the people can be any prejudice to the Crowne, and seeing all these things has been soe lately under your consideration I need be the less anxious and more generall in your instructions." The King desires Hamilton to write freely to him. Hampton Court, 17th May 1689.

149. Draft letter, Hamilton to the King, explaining the difficulties of passing the Commission to the Privy Council, and begging leave to wait on the King for special instructions before receiving his appointment as Commissioner. Holyroodhouse, 25th May 1689. [Printed in the Leven and Melville papers, Bannatyne Club, p. 26.]

150. The King to Hamilton. That the King had ordered his Commission and a Great Seal for Scotland to be sent down and also instructions as to grievances. He understands that when the Convention wrote to him, many members were absent. The King trusts that when the House is full, "they will consider it as there advantage to proceed without delay in setling the great concerns of the nation soe much longed for by them. It is my confidence in you that makes me judge your stay there in the present circumstances very necessary, and you may be well assured, in the nomination of my ministers I have not been unmindefull of you." The King will take care to employ persons

acceptable to the country. He consents to adjourn the Parliament for twelve days, when he hopes the members "will have time to recolect themselves." Copthall, 31st May 1689.

151. Hamilton to the King, sending a copy of the Act forming the Convention of Estates into a Parliament, and that he had adjourned them till the 17th June. "I will not trouble your Majestie to say anything of the deficulties I meet with to serve you in this station or to insist how much it wold have contributed to your service the delaying of this Parlament for some time, for as I told your Majestie in my last, I perceave such heats aryseing amongest the members concerning some persons they thinke has influenced your counsells in the setling of the affaires of this kingdome for tho the estats desired to be turned in a Parlament, fearing new elections wold not have been so much for your service, yett they never imagined your Majestie wold have determined the time untill you had heard them nor that your Majestie wold have named your Councill or other officers so soon els they wold have sent up more of their number otherways instructed for your Majesties better information." Hamilton adds he writes thus freely at the King's desire. Holyroodhouse, 6th June 1689.

152. Draft letter, Hamilton to the King, giving an account of proceedings in Parliament. That they had voted a constant committee to be a grievance, and that all committees should be chosen by the whole Parliament, etc. [Cf letter to Lord Melville, No. 206, infra. Leven and Melville papers, p. 59.] Hamilton adjourned the meeting, but when the Parliament again met they brought in an Act as to the manner and way of choosing committees. He had again adjourned them and desires advice, the Act being contrary to his instructions. He again refers to the discontent of the Parliament and nation, lest the Government return to the old channels so often complained of, etc. 22nd June 1689.

153. The King to Hamilton. Acknowledging receipt of Hamilton's, and wishing that what was disagreeable to Hamilton's instructions had not come to a vote, but as the King is resolved to redress what is grievous in regard to the Committee, he consents that three of each estate be added to the former eight, and that they be changed monthly, or oftener as may be thought fit. If this please, it is well; if not the King leaves the matter to Hamilton, who may come to Court if he chooses, but his stay in Scotland is preferred. The King desires consent to any Act for settling Church government on Hamilton's former instructions, and the rescinding of all forfeitures since 1665. Hampton Court, 4th July 1689.

154. The King to Hamilton. In reference to the proceedings of the Parliament [as to Sir John Dalrymple] the King leaves the matter to Hamilton. He will take care to do what is necessary to procure peace and quietness. He hopes a fund will soon be settled to pay the army. Whitehall, 17th July 1689.

155. The same to the same. Consenting that Parliament be adjourned till October, and desiring Hamilton to come to Court. Providing also that in the present state of affairs those concerned in public business are not to leave the kingdom without permission. Hampton Court, 4th July 1689.

156. The same to the same, in reference to the President of the Council's subscribing all acts and letters, to which Hamilton objected as an innovation, the King will make enquiry and give an opinion;

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meanwhile he expects Hamilton will attend the Council. Kensington, 21st January 1690.

157. Draft letter. Hamilton to the King. He declines to accept office as one of the Commissioners of the Great Seal. He regrets that the King cannot be present at the next meeting of Parliament, the confusions and disorders of the kingdom being such that only his Majesty can set them right. He regrets that his own endeavours to serve the King in Parliament have been so misrepresented by "those who now have taken the boldnes to put some of these false aspersions in print, which I hope to make apear so undenaiably that I doubt not of your Majesties justice to have reparation. But these misfortuns I have lately mett with of the apearing marks of your Majesties displeasur and seeing dissatisfactions and disorders of this nation mightely increasing and particularly in the north countries by the to sever treatment the Episcopall churchmen has mett with, and finding many of those your Majestie has imployed in your affairs here rather ready to take advantage of my actings to misrepresent them then to be assisting to me." Hamilton continues that in such a state of matters he dare not undertake to act as Commissioner, but he concludes by assuring the King of his firmness in his service. Holyroodhouse, 21st February 1690.

158. Letter from Queen Mary to the Duke of Hamilton, informing him that Sir Thomas Livingston's march towards the Highlands is to be delayed until the King's pleasure be known. Lord Breadalbane's negotiation may give satisfaction while the march of the troops might be looked on with suspicion. Kensington, 22nd July 1691.

159. Draft letter, Hamilton to the Queen, that he had intimated Her Majesty's letter to the Council, who thereupon stopped the march of the troops. He states that few believe in Lord Breadalbane's negotiations. He concludes with professions of service. Holyroodhouse, 29th July 1691.

160. The intercepted letters and papers referred to by the Duke of Hamilton in No. 146 supra, consist of (1.) A letter signed by King James, addressed to Viscount Dundee, that he is in a position not only o defend Ireland [whence he writes] but to send supplies to Dundee, to whom he sends a Commission as Lieutenant-General. The King is resolved to come himself if possible, but purposes to send over five thousand men, when he learns Dundee's opinion. The King has written to the chiefs of clans to arm, and to the nobility. He suggests that as soon as any considerable body of troops can be brought together, the nobility and gentry, with the bishops and burghs, should meet and call themselves a convention of estates to declare for him and put the kingdom in a posture of defence. "The presbyterians are not good masters in any Government, much less with yow, wher ther particulare quarrells are revainged in those publick confusions. Butt assure your selvs wee will stand by yow, and if it shall pleas God to give success to our just cause, wee will let the antient cavallier pairty know that wee are the only true basis that monarchy can rest upon in Scotland. . . . Only wee think fit to add that as it ever was our intentione to mentaine the nationall Protestant religione, so now wee will confirme it to our subjects and ther propperty and liberty which let them fancy to themselves what they will can never be asswered to them by any other means." etc. The Castle of Dublin 29 March 1689. (2.) A letter in precisely similar terms, to Colin Earl of Balcarres. (3.) A letter to the Marquis of Athole requiring him to bring his friends and followers for the King's

service, for which he will be compensated. The King also offers indemnity to all except those who have voted against him in "the late illegall convention". He renews his promises as to the Protestant religion. (4) Another letter to D[undee] from the Earl of Melfort. (5) A letter from Melfort to his brother the Earl of Perth, sympathising with the latter's imprisonment. It is stated the Earl of Mar is to declare for King James. The Earl is to read Dundee's and the other letters. (6) Melfort to B[alcarras]. That King James has an army of 500,000 men [In Perth's letter, 40,000 are named] and asking Earl Colin's advice as to landing, provisions, etc. All the above letters are dated at Dublin Castle between 28 and 30 March 1689.

161. Besides the above letters there are several printed Proclamations in name of King James of various dates. 1st April and 4th May 1689.

162. Letter from Lieutenant-General Mackay to the Duke of Hamilton. He learns with wonder the apprehension of an invasion from Ireland, as the fleet should have prevented such. He will come south as soon as he can, and will send on the dragoons in the meantime. He had followed the rebels to the head of Badenoch and found them separated, but they can soon come together again. Dundee was said to be sick of a flux. He believes that had they not met with opposition the whole of the north would have been in arms. He then enters into details of the military dispositions. Lord Strathnaver and Grant have most of their men but few arms. He wonders nothing had been done by way of diversion from Argyllshire. Dated "from the head of Strathspey the 13th June 1689."

163. The same to the same. Giving a detailed account of the discovery of treachery in his officers, and his retirement down the Spey from Dundee's force. Inverness 19 June 1689. [This letter is very long, but its contents are very similar to pp 27–29 and 32–35, 38, of the General's Memoirs published by the Bannatyne Club.]

164. The same to the same. That he is on his march southwards. He comments on the difficulty of following the Highlanders with regular troops, and recommends a garrison at Inverlochy, giving directions how food may be provided and sent there. Pioneers with their tools ought also to be ordered to raise palisades, houses, etc, for the garrison. He will shortly be in Edinburgh meanwhile Argyll should attempt nothing till all be prepared, unless "those combined Highlanders should fall down to the north again, in which case he must fall into Lochaber, burn and destroy all that is before him." He then enters into details as to his forces, etc. Fettercairn 4 July 1689.

165. The same to the same, expressing his anxiety as to the deficiency in furnishing transport for the provisions, and requesting that obedience to orders should be enforced. He again presses the subject of a garrison at Inverlochy. From Stirling, not dated, [c. 24 July 1689.]

166. The same to the same. Announcing his intended march to Dunkeld and Blair, and hopes Lord Murray [Hamilton's son-in-law] will act cordially with him. He then enters into details as to the troops and their deficiencies. He will do his best to reduce Blair Castle, and settle a garrison in it to serve as a magazine. He warns Hamilton that if from lack of necessaries he is obliged to retire without doing any service, he will beg to be excused from further service in Scotland. St. Johnston [Perth] 26 July 1689. In a postscript he adds "I have wryten

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an answer to my Lord Argiles leter and to the difficulties proposed by his councell of war. I wish I had so easie wayes to be supplyed as he may have. It is a bad method in our trade to pretend a necessity to enter the ennemy's countrey for want of subsistance, when ther is manifast raison to doubt of the issue, for I esteem the Highlanders as good as their troupes, their number greater and better officer'd. I sent him generall directions as maters lycklyest may fall out."

167. The same to the same. After the battle of Killiecrankie. Announcing the certainty of Dundee's death. There is no appearance that the enemy will gain by their victory, which they owe to the "lachety" of three regiments. He will see Hamilton shortly, but begs for a supply of tents. Stirling 30th July 1689. [A previous letter to Hamilton dated 29th July, had been forwarded to Lord Melvill, and is published by the Bannatyne Club. Mackay's Memoirs, p. 254.]

168. The same to the same. He refers to the proposed garrison at Inverlochy (Fort-William), but the season is now too far advanced. As to this he submits to the judgment of those who know the country. "If the Highlanders retire to the hills againe I shall imediatly wait of your Grace; they are upon their march to Strathardel." He is willing that Sir John Lanier or any other should take direction, and trusts they may have things better to their hand than he had. He refers to the English troops, then advancing, and of his design to have a body of English horse for the fight joined with some new Scots troops for fatigue parties. "My comming here so soon after the affront the King's forces received served for two vses, one to shew myself in the fields whereby the ennemy might not pursue further his advantage and the other to hinder the junction of two disaffected shires with him, upon which the designed effect followed, for I cannot learn that any numbers have joyned him either out of Angus or Perthshire, and by what inteligence I get dayly they stier their cours northwards, which is the effect of my so soudain seizing upon this post with a body of hors." He thus sends his thoughts briefly to the Council that they may deliberate. He wishes there were an end of the war. St. Johnston 4th August 1689. [A letter of 2nd August to Hamilton is printed Mackay's Memoirs, p. 259.]

169. The same to the same. Sending a scheme of action which he proposes to carry out against the enemy who has turned towards Braemar and threatens the north country. Mackay is to march towards Aberdeenshire, and there take the necessary measures for hindering the enemy. He also proposes a certain course for Major General Lanier. Forfar 8 August 1689.

170. Three days later General Mackay writes from Aberdeen, that he had found his sudden march very useful in depriving the enemy of the advantages which ordinarily follow a victory. His appearances in Perth Angus and Mearns prevented those shires joining the enemy. He had ordered most of the English troops sent down to halt on the borders except certain regiments, etc. Aberdeen, 11th August 1689.

171. The same to the same, written from Edinburgh, 24 September 1689, to Hamilton at London. That nothing of moment had occurred to write about, except the separation of the rebels, and the subduing of Athole, the bad weather having driven the writer from the field sooner than he intended. "I have used the Athol men otherwyse then they expected, vpon the account of your Grace's intrest in that family, though the cariage of the Marquess and most of his sons, with all the countrey

was such as deserved no such moderation at my hands. I cannot say that my Lord Muray did disappoint me, for he advertis'd me at Edinburgh that he should not be able to persuade his men to joyn me, but that he wold doe his best to keep them from joyning the ennemy where their inclination led them most, which made me allwayes jealous that they had the orders, or at least connivance of such as had more power over them then hee, for I am not ignorant of the defference of highlanders to their chiefs and superiours. However God (who is the author of this delivrance) hath order'd it otherwayes then men have designed it." He trusts that matters may be well digested in London, especially the petition of right and the Church government, and he is persuaded the King will give all reasonable men satisfaction.

172. Letter from the Earl of Argyll (afterwards first Duke) giving a private account of his mission to London to offer the Crown &c. "We [Sir James Montgomerie, and the writer] came hear with all thee thoughts of freindship towards your Grace that the correspondence betwixt you and us and the honest partie could prompt us too and have acted accordinglie sinc we came hear as vigorouslie for the common interest, and your Grace in particular as you yourself could have wished us to doe. And we did firmly expect that sinc we were to expose ourselves in a contest with persons that had both aquaintance and interest at Court, and that upon your account in particular as well as the publick that we should have been backt in it by your Grace, and the estates as you had accesse and as it fell in your way. When we parted the father and the son were thought hard enough matches for us without ther being reinforced by Lord Melvin and yet we should have made our partie good enough against them if we had had that assistance from you, in relation to Melvin, that you were obliged to have given us, both upon your own account, and to vindicat that publickt affront he had thrown upon the estates by his coming away without libertie. Whatever may be pretended to your Grace by anie of those persons yet you may be assured if they effectuate ther designes, yourself, your familie and services will be neglected, and persons brought in that may prove unneasie to you upon old scores." The writer states that he and Montgomerie might have made terms for themselves, but they scorned anything that interfered with the public interest, and their friendship to Hamilton. He trusts Hamilton will not be wanting to himself or his friends. "Your presence hear and that of some other friends with you such as Lauthian, Annandale, Rosse and Will[iam] Hamilton would absolutelie defate all those peoples projects. This we can assure you of and that upon verie good ground, so pray consider seriously on it, and the consequences that may follow both to your self and others, and take such measures upon it, as you shall fynd necessar to obviate and prevent what we are afraid of, and we must tell you it again that you may lay the more weight upon it that you are to expect nothing but mischief from that art. They strugled hard to defeat the grivances by proposing they should not be read till after the King had taken the oath, notwithstanding that we were instructed to the contrarie, but they failed in it. They make it ther businesse also to have this Convention dissolved, and the true reason which is at the bottom is that they think you have too manie freinds in it. Ther is a third point which they dryve, and that is a full and ane absolute indemnitie, and your Grace cannot but be sensible what the consequences of that may be. We spoek to the King anent calling your Grace up. His answer was he was afraid you could not be weell spared out of the kingdome. We judge the answer was suggested to him, but withall we are confident if your Grace comes with libertie from the States or ther

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Committee [it] will not be ill taken." They suggest a letter begging the King to make exact inquiry after persons and things before he fill the great offices, especially the Secretaries' places, as they are afraid all places will shortly be filled "by those persons directions." "Yesterday we disburthened ourselves of the Crown which was done in the Bankueting house with great solemnitie. The King and Queen swore the oath; the King himself swore it with that gravitie and seriousnesse that we had never seen expresed in the taking anie oath before. When he came to that part of the oath anent rooting out of hereticks he told us that by it he did not understand himself oblidged to persecute anie upon the account of religion and took us three witnesses upon it. After all was over he commanded us to make no return to the States of his having taken the oath till further orders, so that your Grace is to consider this but as a private account. Pray let us have a return with all possible diligence with your Grace's expresse thoughts upon everie point." etc. Written by Argyll and signed both by him and James Montgomerie. London, 12th May 1689. [Upon the outer portion of the letter is a short note by Sir James Montgomerie "You have inclosed a particular account of all with oure advice upon it. It is without all doubt if you were heire youre Grace would carrie business as you please. They forsee this and layes all rubs in the way of youre coming up they can. Soe pray take what measures you judge best in it; wee shall put of business waiting your resolutions," etc.]

173. Letters from the Earl of Argyll to Hamilton, in reference to military matters. The first is dated from Dumbarton, and encloses a packet of letters received by Argyll on his arrival there. The design of those referred to in the letters must be to join Dundee at Inverlochy [Fort William]. The Irish also design an invasion of England, as Argyll had been assured that Earl Seaforth, Earl Buchan, and other Scots officers in Ireland with King James know particularly the "considerable force we have raised and modelled, so it is not to be conjectured they can propose by this small handfull of men or anie rable Dundee can offare of Highlanders to run us all down. Ther designe is certainlie to make a diversion whilst about the same tyme they invade Ingland. I have with me hear Lord Angus his regiment, the two troops of horse and two troops of dragoons ordered to attend me, and indeed, my lord, they are good lyke troops." His provisions have been forwarded to Inveraray and he hopes to march soon, etc. Dumbarton 14th July 1689. [The enclosures consist of (1) a letter dated 10th July 1689, signed "Will. Campbell" evidently captain of a small vessel; and (2) a letter, dated from Campbelltown 11th July 1689, signed "David Cairnes," both, the latter somewhat fully, giving an account of a defeat and capture of two vessels, commanded by Captains Hamilton and Brown, in an encounter with three French vessels, of 50 guns. These also chased the small vessel in which Cairnes was, but he and the crew ran it ashore at the north end of the Mull and escaped, though the boat was seized, with two hogsheads of wine, and some brandy. The French also seized another small vessel containing 50 tons of provisions from Chester. The French ships had been seen going towards Islay, having abandoned the Scots frigates. Other large French ships have also been reported. (3) A letter enclosing the two former, from Dugald Campbell of Glensaddell, giving a general statement of the same facts, and that the French ships were sailing under English flags which deceived the Scottish frigates. Campbelltown 11th July 1689. (4) A letter dated Inveraray 13th July, 1689, sending the above to Argyll, and adding that the French ships had been seen near Jura and Islay. "Some of

them landed in Carsaig in Argyll and drinking with the countreymen at ane ale house neir that place gave account they wer of the forces sent out of Ireland." Since then no more had been heard of them. "The noise of this will animat such as resolve to adhere to Dundie who is said to be still in Lochaber and the clanns are in severall bodies readie to join him ; it is said McNachtan and his uncle are straight to Lochaber."]

174. The same to the same. The troops have arrived at Inveraray, and the Earl designs shortly to march with them to Castle Kilchurn and encamp near there, where the enemy cannot surprise them. He learns that Claverhouse is at Inverlochy where men are gathering to him, differing in their opinions as to what to enterprise, Lochiel wishing a descent on the north, while the M'Leans and Irish desire to fall upon Argyllshire. Argyll has people among them from whom he expects intelligence as to their plans. On the 17th instant the English frigates came to the sound of Mull in pursuit of the Irish frigates but missed them. They have retaken Captain Brown's ship and the ketch that was taken, but found nobody in them. "They fyred fyve hundred cannon shott at the house of Dowart whilst they were taking these two ships out of the road and the house returned small shott." He encloses a letter from one he had sent to the camp of Claverhouse, part of which may be communicated to the Council. "I have been sounding some people about Lochiell, but I am afraid he is so farr ingadged that nothing but the readie pennie will prevaill. If hills or mountains could doe the bussinesse I might brybe him, but cash we want in our camp. I hope your Grace will see the punctuall payment to such as are doing something for it. I told his Majestie at London 4,000 p. str. would buy all the clans, and I could had I it to distribute, undertake it still." The remainder of the letter, which is very long, is devoted to details as to the writer's troops, their provisions, maintenance, etc. Inveraray 20th July 1689.

175. The same to the same. Protesting against the limitations made by the Council that he should not advance into the enemy's country, which will cause inconvenience for want of provisions. He has news of Dundee's force confirming his former account. "Whither they will steer their course is not resolved: I fynd the spirit of trimming and neutralitie is spread from our Court the lenth of the Highlands, and as long as it meetts with so mutch encouradgement elsewher, affairs will at least go on slowlie." Argyll desires the publication of his Commission and instructions, lest he be censured for backwardness in action. Inveraray 22nd July 1680. [Accompanying this letter is a paper entitled "The opinion of the Councell of Ware at Inveraray" 22nd July 1689. It is signed by the Earls of Argyll, Glencairn and Eglinton, with other officers. After enumerating the difficulties, either of remaining at Inveraray or advancing under the limited orders of the Council, the officers desire to know whether they may advance without limitation, or what else they must do. There is also a letter, probably addressed to Argyll, but from which the place of writing, signature and address have been carefully obliterated. The writer states that it is common report in the camp [Dundee's] that Claverhouse had sent letters to Badenoch, Athole and the North, summoning men to meet at Lochaber thence to march to the Braes of Glenurchy and the heart of Argyllshire. They do not intend to miss Argyllshire whatever comes of it. Lochiel wishes to go to the north to revenge the death of his men there. Both McLeod and Sleat would be King William's men if recruited in time. There is daily correspondence between Claverhouse and Breadalbane, and the

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writer advises to bring Breadalbane and his men under King William's service, also Lochnell and McConochie. The Irish desire to come to Argyllshire, because their horses had been seized, and so do the M'Leans. The army is to draw to a head on the 22nd instant and march on the 24th. This letter is dated 18th July 1689.]

176. The same to the same. That he had taken two prisoners, one of whom was obdurate, but the other made a confession which is forwarded. He also sends information from Dundee's camp, where letters from Ireland were expected. He had also learned from his prisoner that Hay was expected over, whom he had used every effort to intercept. Inveraray 25th July 1689. [The first paper enclosed is "The true confessione and informatione of Mr. Henry Farquhar," etc. That he had travelled with Lochiel's wife from Edinburgh to Lochaber, she being the bearer, unknown to him, of letters from Ireland. That he himself was in Ireland, and he describes what he learned there of the Jacobite plans, etc. Dated at Inverary 24th July 1689. The second enclosure is a paper called "Information from the Breas" and contains news of Dundee's camp, adding little to the former statements.]

177. The same to the same. That he and his troops were all ready to march in obedience to the Council's orders, with the design of joining General Mackay, when he had notice of "the misfortune" [the defeat at Killicrankie.] They had had very bad weather to march and on the previous Monday they had to camp in the fields amid the storm and rain, not being able to cross a river which was in front of them. Two of their men had died from cold. He asks for further instructions. Camp near Portincaple at the head of Gareloch, 2nd August, 1689.

178. The same to the same. Had received the Council's orders to march to Perth, and though contradictory orders had come from General Mackay, he had given directions to the regiment of Angus to march to Kilsyth on the way to Stirling. He presses for money to pay the soldiers, some of whose guns and knapsacks were seized by their landlords for their quarters. Glasgow, 5th August, 1689.

179. The same to the same. He has information from Ireland, which he believes to be true, that King James designs to invade Scotland. The regiments of Angus and Glencairn have mutinied and run off for want of pay. He suggests that if the two battalions of the Angus regiment were reduced to one "ther may be some service had of them, but the other half both officers and sogers are madd men, not to be governed even by Master Shiels ther orackle." He asks for firelocks for his own regiment, also ball, etc. Glasgow, 5th August, 1689.

180. Letter from Captain or Commodore George Rooke, writing from on board his ship Deptford, at Greenock, sending, as ordered, a copy of his instructions to cruise with certain ships under his command between Ireland and Scotland. He had put into Greenock to repair some damages received by his vessel in a recent engagement in Bantry Bay, in which Admiral Herbert with the English fleet engaged a French fleet, nearly double their number, consisting of 28 men of war beside fireships. He gives a short account of the affair in which neither party had much loss. On his way to Greenock he had seen the French fleet off Kinsale, going homewards. He intended to cruise off the Mull of Cantire till joined by the fleet under his command. 11th May, 1689.

181. Letter from Major General Kirke to the Duke of Hamilton, from on board the Swallow in Derry Lough. He will take the first oppor-

tunity to get into Derry, as to the condition of which he had failed to hear. King James's camp is reported to grow thin and the people are affrighted at the fleet, etc. 19th June, 1689.

182. Letter from Captain Rooke, also from Derry Lough sending a copy of the result of the last council of war. June 20th, 1689. [The enclosure refers to the fortifications on the river, apparently the mouth of the Foyle. It may be interesting to note that one of the Council of War is Lieutenant Colonel Wolseley.

183. From the same. That he had followed the French ships to the Island of Mull [see No. 173 supra], but about 400 men had been landed at Lochaber in small boats. He regretted being out of the way, but means to cruise between Cape Cantire and Lough Fergus. Off Islay 20th July, 1689.

184. From Major-General Kirke, announcing the partial relief of Derry. His letter is long and minute as to the evolutions of the ships engaged, but is to the effect that the boom on the river had been broken or cut, and under protection of the men of war, two victualling ships were enabled to reach the town which was in great extremity. He refers to some minor skirmishes with the enemy, and concludes by an appeal for supplies, as provisions in the fleet were running short. From Derry Lough, 29th July 1689. [Enclosed are two papers. (1.) A proclamation by Major-General Kirke dated 24th July, 1689, addressed to the General of the Irish army, that as he had lately gathered great numbers of helpless and weak Protestants, and driven them to the walls of Londonderry, threatening them with famine or violent death if not received into the town, a barbarity unjustified either to soldiers or Christians, all such cruelties will be retaliated on all Roman Catholics of whatever rank or condition. The Isle of Inch. 24th July 1689. (2.) A copy of a letter to General Kirke from the besieged city, that they had received his of 16th, and must tell him to their grief "this garrison hath lived upon catts, dogs, and horseflesh this three days, and now there remains no victuals of any kind in the garrison to live on, then three pound of salt hides, one pound of tallow, and one pint of meale a man, which we compute will not keep us alive any longer than next Wednesday" [i.e., about five days]. "Above 5,000 of our men are dead already for want of meat, and those that survive are so weak that they can scarce creep to the walls where many of them dye every night at their post. Wee are afraid wee shall loose our outworks every minute, and then we shall bee all cut off. Their miners are come with their lines close to our walls, but hitherto their sinking underground is prevented. Wee are offered very honourable terms from the enemy which we still rejected in hopes of relief, and now no expectation of aid during the time of our victuals. God knows what will become of us for they vow not to spare age nor sex. A great many admire [wonder] such a fleet as yours should lie so long before us and send us no victuals, whereas the wind presented fair many times. Trust none of the enemies deserters for wee have been often deceived by such people. There came two battering gunns here last night which plyes us all day and broke our curtains and shattered our gates. The enemies gunns are brought up from Culmore and that boume which is across the river is broke so that a small ship with provisions might easily pass up hither without hazard. The enemies regiment of fuzaleers are marched up to Dublin, and 'tis certain their regiment of guards marches in a day or two; the rest of their army consists most part of rabble. Wee are, Sir, your very humble servants,

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Geo. Walker, Jno. Michelburne." Londonderry, July 19th, 1689.] The partial relief effected by General Kirke took place on the 28th July, 1689.

185. From Captain Rooke. Referring to the above intelligence of the state of Derry sent to General Kirke, who had asked the aid of some ships, which had been given. Dated from Carrickfergus, 30th July, 1689.

186. Copy of letter from the same, announcing that the siege of Derry was raised. On Sunday, 28th July, the victualling ships gained the town, and on the following Wednesday the enemy decamped. It is said they design for Inniskillen, but the writer thinks they will try to send part of their force to the north of Scotland and foment disorders there. This intelligence he had learned from an Irish officer taken making his escape. Off Kintyre, 2nd August, 1689.

187. From Major-General Kirke, giving a detailed account, to the effect that on 1st August, he had learned the enemy were drawing off and the townsmen of Derry were endeavouring to fall on their rear. He then gives particulars of the ships entering the river under fire, and of the damage done by the enemy. He concludes by pressing for supplies of provisions. From the Isle of Inch, 4th August, 1689.

188. From Captain Rooke, introducing Mr. Walker, late Governor of Londonderry, as able to give an account of the successes in Ireland. The writer thinks that if an army were presently landed there, the people would submit at once. Off Cantire, 9th August, 1689.

189. From the same. That on the previous day his boats had entered Donaghadee harbour, seized one ship, burned four, and destroyed about 20 boats. A company of foot quartered in the town might have given trouble but ran into the country without standing a shot. His provisions are almost spent, and he means to ask leave to sail homewards. Off Donaghadee, 13th August, 1689.

190. The Duke of Schonberg to the Duke of Hamilton. That they are now departing for Ireland. Their landing place is not decided on, but he hopes it will be the north, that countenance and assistance may be obtained from Hamilton. If they land at Carrickfergus, they hope to prevent King James landing any men to the disturbance of Scotland. From on board the Cleveland in Highlake road, 12 August, 1689.

191. From the same. Announcing the arrival of the fleet in "Bangor Bay in Ireland" [? Belfast Lough] and desiring a correspondence with Hamilton. He had found the coast clear, the enemy having quitted the neighbourhood. 13th August, 1689.

192. From Captain Rooke, at Carrickfergus. Regretting that the season of the year rendered it unsafe for ships of war to go so far to the northward, and he cannot therefor do anything for the enlargement of the Laird of Blair. The Duke of Schonberg and his forces are now encamped before Carrickfergus, and mines will be completed in a few days if the besieged do not capitulate before that time. 26th August, 1689.

193. Letter from "W. Fullartoune" to the Duke of Hamilton from Portpatrick, 28th July, 1689. That in obedience to orders he had sent for intelligence from Ireland to one Doctor Ferguson, who had returned the answer enclosed. He had also desired the writer to warn the cruisers of some vessels in Carrickfergus Loch. He had also offered to meet them and give an account of affairs. [The enclosure is

long and not very legible. It refers to the state of the Scottish forces whom the Irish look upon but as men only in appearance, beardless boys, ignorant silly souls, &c. That all the forces, militia, &c. were known to the Irish. He then refers to Derry and expresses surprise at the delay of the English in relieving the town. He gives some particulars as to the movements and numbers of the Irish forces, estimating them at 40,000 men, levies being ordered of 25,000 more. He concludes by urging greater expedition on the part of the English forces. Friday, 26th July, 1689.]

194. Series of letters, George [Lord Melville, first Earl of Melville to the Duke of Hamilton, with the latter's replies. [Many of these have been printed in the "Leven and Melville Papers," Bannatyne Club, 1843.] The first letter of the series is from Lord Melville, announcing his appointment as Secretary of State for Scotland. London, 15th May, 1689. [Printed in the above work, page 17.]

195. Hamilton to Melville, in reply, congratulating him on his appointment as Secretary. As to repairs on Holyrood House, &c. Holyrood House, 20th May, 1689. [Printed ut supra, p. 19.]

196. Copy letter, the same to the same. Disapproving of the selection of Privy Councillors. Wishing to decline the Office of Commissioner. Holyroodhouse, 21st May, 1689. [Printed ut supra, p. 20.]

197. Letter, Melville to Hamilton, sending a letter from the King by flying packet. Asking for news as to the movements of Dundee and Mackay. London, 18th May, 1689. [Not printed.]

198. Copy letter, Hamilton to Melville. Difficulties about the Commission of the Privy Council. News of Dundee, etc. Holyroodhouse, 25th May, 1689. [Printed ut supra, p. 27.]

199. Letter, Melville to Hamilton. Is surprised that his letter did not arrive in time for the meeting of estates. He defends the procedure as to the Commission for the Privy Council. London, 31st May, 1689. [This letter, though there are some verbal differences, appears to be the same printed [ut supra] on p. 28, as of 27th May. There is an addition relating to Holyroodhouse and the Commissioner's occupancy, with other matters of no special importance.]

200. Copy letter, Hamilton to Melville, asking for powder and arms. Edinburgh, 30th May, 1689. Printed, p. 31, ut supra.

201. Letter, Melville to Hamilton. That he had informed the King of the Highlanders being in arms with Dundee, and of General Mackay's march to the north, and that His Majesty thought it of more concern that Mackay should, after securing Inverness, march towards Edinburgh or Glasgow, rather than follow Dundee to the Highlands and leave the south and west country exposed to invasion. London, 4th June, 1689. A postscript states that the King will leave the matter to the Privy Council. Melville suggests obtaining intelligence as to the probability of an Irish invasion. [Not printed.]

202. Copy letter, Hamilton to Melville, forwarding a letter from General Mackay, and intimating the arrest of Lords Lovat and Tarbat. Holyroodhouse, 1st June, 1689. [Printed, p. 33.]

203. Copy letter, Hamilton to Melville. Making various objections to become Commissioner on short notice; that Lord Murray had prevented the Athole men from joining Dundee. Holyroodhouse, 4th June, 1689. [Printed, p. 40.]

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204. Copy letter, the same to the same. That the estates had passed an Act constituting themselves a Parliament. Holyroodhouse, 6th June, 1689. [Printed, p. 44.]

205. Copy letter, the same to the same. Declining to recall Mackay until he defeats Dundee or disperses his army. Holyroodhouse, 8th June, 1689. [Printed, p. 51.]

206. Letter, Melville to Hamilton, explaining the delay as to the precepts for Hamilton's salary. That he is very sensible of the trouble and expense incurred by the Duke. He regrets that the King's desires for a speedy settlement of affairs in Scotland should meet with difficulties. That the King does not wish the castle of Edinburgh to be bombarded till General Mackay's return. London, 13th June [1689]. Not printed.

207. Copy letter, Hamilton to Melville. Announcing the capitulation of the Castle of Edinburgh. Holyroodhouse, 14th June, 1689. [Printed, p. 57.]

208. Copy letter, the same to the same. As to the meeting of Parliament and their proceedings; the Committees of Articles, etc. Holyroodhouse, 18th June, 1689. [Printed, p. 58.]

209. Letter, Melville to Hamilton. That he had been unable to obtain the King's instructions on some points. Sending a list of ten Lords of Session to be appointed. 18th June [1689]. This letter as sent differs in some minor details from that printed [ut supra, p. 65] of same date.

210. Letter, the same to the same. Chiefly relating to a complaint by the Duchess of Buccleuch "that her litle parke and deer ar spoiled by putting in some troupe horse in it; her grace would neither grudge corn nor grasse for the service of the country but being that the horses might have been weell eneugh provided otherwais shee thinks it a litle hard usage, having her deere already spoiled, as shee is informed, by the liberty given to furnish wood and fagots for makeing upe the batteries att the Castle." 15th June [1689]. Not printed.

211. Copy letter, Hamilton to Melville. With intelligence from General Kirke and Captain Rooke. He expresses indignation that the Commissioners for the Lords of Session were sent to Lord Crawford and not to himself. Holyroodhouse, 23rd June, 1689. [Printed, p. 75.]

212. Copy letter, the same to the same, sending an Act as to the Committees of Articles, and wishing to be relieved of the Commissionership. Holyroodhouse, 25th June 1689. [Printed, p. 78.]

213. Copy letter, the same to the same. That the Parliament still make difficulties as to the election of Committees, etc. Holyroodhouse, 27th June 1689. [Printed, p. 88.]

214. Letter, Melville to Hamilton. Hopes that arms and ammunition have already reached Scotland. The prisoners sent south by General Mackay have been remitted to a Council of war. He has no directions from the King as to those who absent themselves from the Parliament, but he trusts the members will consider what is for the good of the government and safety of the kingdom. He is sorry that Hamilton should be dissatisfied with anything, and explains as to the keeper of the Great Seal, also as to the nomination of the Lords of Session. He is surprised that the direction to the President of Parliament to take

their oaths should have offended Hamilton as he understood the Chancellor took the oath of the President who took that of the others, etc. Hampton Court, 27th June [1689]. Not printed.

215. Copy letter, Hamilton to Melville. As to the nomination of the Lords of Session, Church government, etc. Holyroodhouse, 2nd July 1689. [Printed, p. 134.]

216. Letter, Melville to Hamilton. That he had had no opportunity to speak to the King [about the articles]. He explains that the King, notwithstanding his rights, was quite willing that the town of Glasgow should have the benefit of the Act of Convention for electing the Magistrates. London, 29th [June 1689.] Not printed.

217. Copy letter, Hamilton to Melville, in reply, as to the imprisonment of the Duke of Gordon, and the Earl of Balcarras. That the King ought at least to elect the Provost of Glasgow. Holyroodhouse, 4th July 1689. [Printed, p. 142.]

218. Letter, Melville to Hamilton. He had not yet received the King's answer to Hamilton's commands, but will hasten a reply. It is said that the Count of Solmes is to go to Ireland with 5 or 6,000 men to reinforce Kirke. The Dutch squadron, of 30 sail, have joined the English fleet. The King has not yet given orders for the English regiments in Scotland to march to Berwick. etc. 2nd July [1689]. Not printed.

219. Copy letter Hamilton to Melville. That the Parliament have voted as to the abolishing of prelacy, and rescinding the forfeitures. Holyroodhouse, 6th July 1689. [Printed, p. 143.]

220. Letter, Melville to Hamilton. Enclosing letters and new instructions from the King. He trusts Hamilton will use his endeavours to allay the heats and animosities which retard the settling of the national concerns. 4th July [1689]. Not printed.

221. Copy letter, Hamilton to Melville. Difficulties in Parliament, a Jacobite plot, arrest of Jacobites in Edinburgh, etc. Holyroodhouse, 9th July 1689. [Printed, p. 149.]

222. Letter, Melville to Hamilton. Acknowledging Hamilton's of the 2nd July, and referring to a letter to the Earl of Selkirk. Sir Adam Blair, and a Doctor Gray, who were believed guilty of some crime, have been apprehended, and some letters found on them. A copy of one of these is enclosed that the person named in it may be taken, etc. 8th July [1689]. Not printed.

223. Letter, the same to the same. Recommending the bearer, an express to Major General Kirke, that he may have a pass, and a vessel to take him to Lough Foyle. 11th July [1689]. Not printed.

224. Copy letter, Hamilton to Melville. With account of three French ships on the coast [Cf. No. 173 supra]. His support of Sir John Dalrymple in Parliament. Holyroodhouse, 13th July 1689. [Printed, p. 169.]

225. Letter, Melville to Hamilton. Had not yet an opportunity to acquaint the King with Hamilton's letter of 6th. As to the Provostship of Glasgow, the King is still willing to waive his right, but Melville will speak to him again. He sends two letters from the King, one declaring the signet open, the other for declaring war with France. 13th July [1689]. Not printed.

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226. Copy letter, Hamilton to Melville. Complaining that he had received no answers to his requests for instructions. As to Dundee, Mackay, and Argyll. Holyroodhouse, 18th July 1689. [Printed, p. 174.]

227. Letter, Melville to Hamilton. Explaining the delay in answering some of Hamilton's letters. The landing of some forces from Ireland [Cf. No. 183 supra], and the discovery of the Jacobite plot had brought the Government to a stand, until they have further news. He is sorry to hear of the heats in the Scottish Parliament, when circumstances call for unity and agreement. 17th July [1689]. Not printed.

228. Letter, the same to the same. Sending some officers' commissions for those to march to the north, etc. 19th July [1689.] Printed, p. 177.

229. Copy letter, Hamilton to Melville, with copy Act as to Church Government; letters from Captain Rooke, etc. Holyroodhouse, 23rd July 1689. [Printed, p. 186.]

230. Letter, Melville to Hamilton. Explaining, by the nature of the King's occupations, the cause of delay in his replies to Hamilton. Announcing the birth of a "brave livlylike boy" to the Princess [Anne.] 25th July [1689]. Not printed.

231. Copy letter, Hamilton to Melville. As to the proceedings in Parliament; Church Government, etc. Holyroodhouse, 25th July 1689. [Printed, p. 193.]

232. Letter, Melville to Hamilton. Sending letters from the King. The Duke of Gordon and the Earl of Balcarras are not to be kept close prisoners, but to have the liberty of the Castle (of Edinburgh) being well looked to till the King's pleasure was known. London, 27th July [1689]. Not printed.

233. Copy letter, Hamilton to Melville. Announcing (in addition to a former letter) the details of the battle of Killiecrankie. Holyroodhouse, 29th July [1689]. [Printed, p. 205.] Another letter of date 28th July, of which no copy has been found, is printed on p. 203.]

234. Copy letter, the same to the same. Giving news of Dundee's death, and that Mackay had reached Stirling. Holyroodhouse, 30th July 1689. [Printed, p. 208.]

235. Letter, Melville to Hamilton, sending a letter from the King ordering more troops to march towards Scotland. [1st August 1689.] Not printed.

236. Copy letter, Hamilton to Melville. That Londonderry had been partly relieved. The death of Dundee and its consequences, etc. Holyroodhouse, 1st August 1689. [Printed, p. 218.]

237. Letter, the same to the same. With a letter from Major General Mackay. Holyroodhouse, 3rd August 1689. [Printed, p. 232.

238. Letter, Melville to Hamilton. Acknowledging Hamilton's of 29th July, which was very acceptable. The King had ordered some Dutch horse and some English foot to march into Scotland. He has done all he can to represent the want of arms and ammunition in Scotland. London, 3rd August [1689]. Not printed.

239. Letter, the same to the same. Acknowledging Hamilton's of 1st August. He is sorry for what is stated of the Parliament's pro-

cedure, and that there is so little done for the security of the country, for without money little can be done, and though it be imposed he fears there may be but bad payment. He wishes Hamilton had represented fully to His Majesty the low and poor condition of the nation. He apprehends that Dundee's death will check the progress of his party. 5th August [1689]. Not printed.

240. Copy letter, Hamilton to Melville. There is intelligence from Ireland, threatening an invasion, with other military news. Holyroodhouse, 6th August 1689. [Printed, p. 235.]

241. Copy letter, the same to the same. Mackay's movements in pursuit of the Highland army. Holyroodhouse, 8th August 1689. [Printed, p. 240].

242. Letter, Melville to Hamilton. That the King has countermanded the forces which were ordered to Scotland. He will appoint more frigates to cruise upon the west coast. London, 8th August [1689]. Printed, p. 241.

243. Letter, the same to the same. The Dutch officer whom Hamilton had sent up with the account of the battle of Killiecrankie, was anxious Melville should write with him. It was reasonable to send one who was in the action to relate it, but "I am sory for the poor gentleman that he had the misfortown not to know things as they wer, by comeing, it seems, to early away, which made his relation differ much from what came about the same tyme, and so has done him no good heer. I shall be sorry if his misfortown which might have fallen in a brave enough man's hand (and upon which occasions men ar apt enough to see visions when in any consternation) should be prejudiciall to him, which I dowbt not, but your grace will endeavour to prevent." Melville then refers to the news from Ireland, and comments upon the extremity to which Londonderry was reduced. London, 10th August [1689.] Not printed.

244. Letter, the same to the same. With intelligence from Ireland. 13th August [1689]. Printed, p. 250.

245. Copy letter, Hamilton to Melville. With intelligence from Ireland. The Act of Indemnity, etc. Holyroodhouse, 13th August 1689. [Printed, p. 249.]

246. Copy letter, the same to the same. That the English fleet had arrived on the coast of Ireland. Hamilton's coming up to Court, etc. Holyroodhouse, 15th August 1689. [Printed, p. 254.]

247. Copy letter, the same to the same. Enclosing a letter from the Duke of Schomberg. Holyroodhouse, 16th August 1689. [Printed, p. 255.]

248. Letter, Melville to Hamilton. With copy of the King's letter to the Council, as to raising and providing for an efficient force in Scotland. That the King had named Hamilton as one of three Commissioners of the Great Seal in Scotland. 18th December 1689. Not printed.

249. Letter, the same to the same, with copy of the King's letter to the Council, appointing so many regiments to be paid from England; also approving the act that the President may sign on behalf of the whole Council. 4th January 1690. Not printed.

250. Letter, the same to the same. He had spoken to the King about the difference of opinion between Hamilton and Argyll, but could give

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no distinct account of it. It was His Majesty's wish that the Great Seal should be put in Commission, and if there be objections to the Keeper of the Seal he can be dismissed. As to the printing of Hamilton's instructions as Commissioner, to which he objected, Melville writen "When your grace went from hence, the instructions wer not printed neither had his Majestie positively ordered they should. I should be sory that your grace incurre any prejudice on that account; this was not done in the least to reflect on your grace, but to vindicate the King from the aspersions of some ill-affected people heere who did represent his Majestie as if he had been unwilling to redres the griveances of his people. This opinion by the printing of some pamphlets heere and other means used came to prevaile a litle with many, and when people begun to talke that the instructions given for satisfieing the grivances could not abide the light, else they would be published, the King thought fitt they should; and thogh that such a thing hath not been customary in former tymes its no sufficient reason against it, ther being no state intrigues to be keept secret, but plaine and clear evidence of his Majestie's resolution to satisfie his peoples desires." London, 9th January $16\frac{8}{9}\frac{9}{0}$. Not printed.

251. Letter, the same to the same. He has no commands from the King, and can say nothing as to the refusal of some members of Council to take the oaths, nor as to the President of the Council signing, etc. London, 16th January [1690]. Not printed. [Enclosed is a copy letter from the King to the Council, relating to Mr. Archibald Riddell, minister of the Gospel, and James Sinclair of Freswick, prisoners in France, who are hardly used there, and who are to be exchanged for two priests now prisoners in Scotland; ordering that the two priests be securely kept, with intimation that they will be used in the same way as the French King uses the said Scottish prisoners, of which they may inform their friends in France that the exchange may be sooner effected.]

252. Letter, the same to the same. Transmitting a copy of the King's letter to the Council ordering inquiry to be made as to the practice of a quorum signing acts or the President signing alone. London, 21st January 1690. Not printed. Cf., No. 249 supra.

253. The same to the same. Sending a copy of the King's letter for further adjournment of the Scottish Parliament. London, February 13th, 1690. Not printed.

254. The same to the same. That it is thought necessary that the west country be put in a position to act for defence of the Government, and he trusts Hamilton will enforce the orders given to that effect. Edinburgh, 11th July 1690. Not printed.

255. The same to the same. Chiefly relating to continental matters. Nothing of special importance. London, 11th July 1691. [Not printed, but Hamilton's reply is printed, ut supra, p. 628, of date 21st July 1691.]

256. The same to the same, in answer to Hamilton's of the 21st having reference to the Earl of Breadalbane's negotiations with the Highlanders, and the delay of Sir Thomas Livingstone's march [Cf. Nos. 158, 159, supra]. Concluding with continental news. 29th July [1691.] [Not printed, but Hamilton's reply dated 3rd August 1691, is printed, p. 636.] The remainder of Earl Melville's letters, dated at intervals up to 5th January 1692, are of no special importance.

257. Small packet of intercepted letters from Jacobites in Ireland to friends in Scotland. (1) A letter signed "George Middleton" written from Kilkenny to his father "Major Robert Middleton" at Leith. He refers to his brothers James and John as in Flanders, while his brother Michael is with him, and William is in Catalonia with the French regiment of Switzers. He has left his wife in Paris. 25th March 1689. (2) A letter from Lord Drummond to his father the Earl of Perth. (3) Another letter, unsigned, to the same person, relating to Lord Drummond, both dated 28th March 1689. (4) A letter signed "D. Nairne," addressed to "The Laird of St. foord Nairne, at his house of St. foord on the north side of Fife hard by the water syde of Dundie," the writer's brother, who is implored by all arguments to throw in his lot with King James. The writer has left his wife and all in France to follow the King. He presents his humble respects to his dear mother, his brother's wife, and to his brother and sister. He had left his brother Thomas in France. Dublin, 29th March 1689.

258. Letter from the Earl of Shrewsbury (afterwards Duke) to the Duke of Hamilton, assuring him that the King is well satisfied with the zeal many of the lords and gentlemen assembled at Edinburgh have shown for the preservation of their religion and liberties, but specially with Hamilton's prudence. A supply of arms has been ordered to Scotland. London, 13th April 1689.

259. Letter from Sir John Dalrymple (afterwards second Viscount and first Earl of Stair) to the Duke of Hamilton, referring generally to the conduct of his fellow-commissioners from the Scottish Parliament [cf., No. 172 supra], and he considers himself very ill-used by his colleagues. Hamilton's conduct in the Convention is very acceptable. The writer's father (Sir James Dalrymple) had laboured that no one but Hamilton should be summoned to Court "in regard of the present circumstances and danger of invasion which was not minded heir, nor will they yett beleiv it. I am sur King James loses a great oportunity if at this tim when we hav no sufficient fleet, he does not attempt upon Britan. The Church party in the [English] Parliament is becom so jealous that they retard and render all resolutions in wain. Of lait sinc the last ingadgment they seem to go a litle quicker, bot except ther be a purge or that they see King James attempts nothing, I do not expect great matters from this session. They hav gott it in ther heads that when they hav don ther job they will be thankt off, and a new Parlement called as the legall security of whats don and the consent of the nation, therfor they go slow," etc. London, 16th May 1689.

260. Letter from Sir James Dalrymple, father of the preceding, (first Viscount Stair) to the Duke of Hamilton, chiefly in vindication of his own personal acts and career, not dated [1689].

261. From the same, defending himself from a charge of misrepresenting Hamilton to the King. Hampton Court, 30th May 1689.

262. From Sir John Dalrymple. Of no special importance, chiefly commenting in a flattering tone on Hamilton's services. London, 30th May 1689.

263. Letter from George Mackenzie, Viscount of Tarbat, to the Duke of Hamilton, with a petition to the Privy Council. 3rd June 1689. [The petition narrates that Tarbat was imprisoned on a representation by General Mackay, that he had not used his influence with the Highland clans to prevent them from joining Dundee. The petitioner was not conscious of crime in the matter, and he denies that he had the alleged

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influence with the Highlanders, whom so far as he could he had dissuaded. He prays for liberation.]

264. Letter from William, Master of Forbes, to the Duke of Hamilton, as to the pay of his troops, and the mustering of fencible men. Putachie, 18th June 1689.

265. From the same. That he had received the afflicting news [of the battle of Killiecrankie] and also Hamilton's recommendation that he should be on his guard, and if need be retire to the standing forces. He judges it will be best for him to remain in his district as retiring would leave the country open. He believes that he has been able to prevent Strathdon and other places from rising to join the rebels. Putachie, 5th August 1689.

266. Sir Patrick Home of Polwarth to the Duke of Hamilton, informing him that the Council have passed an act for citing ministers who have not prayed for the King and Queen; also an Act appointing a general fast. He gives some news of the conflict at Dunkeld between the Highlanders and the Cameronian regiment. The clans have sent a disdainful answer to the Act of Indemnity, etc. Edinburgh, 27th August 1689.

267. From the same. That a number of ministers had been deprived by the Council. The rebels have become hopeless of relief from Ireland, and have left Blair of Athole. Some of them have come in under the Act of Indemnity. Edinburgh, 3rd September 1689.

268. From the same. That the Earl of Callander, Lord Livingstone, and Lord Duffus had been committed for complicity with the rebels. All persons in public trust are ordered to take the oath of allegiance. He had spoken with the deprived ministers "and it seems they were willing to pray for King Williame and Queen Marie and submite to the goverment bot they scruple to read the proclamation of the estates, and I thinke they would come over that to and lykways take the oath of alleadgeance if it were put to them, bot the maine thing (I find) that hinders to cum all the lenth that otherways they would is that they are affrayed when they have dun all that the State desirs of them that yet therafttere they shall be turned out by the Presbitereane pairtie, when they get the goverment in ther hands, and soe they choyce rather to goe out upon the general heade hopeing ther will be a generall redres," etc. Edinburgh, 5th September 1689.

269. Packet of letters from Sir John Dalrymple, Master of Stair, Secretary of State, 13th January 1691 to 30th December 1691. These letters are of no great public interest, containing few political allusions, and those chiefly relative to Hamilton himself.

270. Packet of letters from Gilbert Eliot, Clerk to the Council, in October 1691, on routine business. Also a few papers relating to the proceedings in Parliament in 1695, as to the Glencoe massacre.

271. Packet of letters from James Johnstone, Secretary of Scotland, between December 1692 and 11th September 1693, chiefly routine. In the last dated letter he writes, "As to the prisoners for the oaths, your Grace will be pleased to know that the pressing of the oaths originally was in order to a new Parliament; and that the King was told the last winter in my hearing that the Presbiterians moved by their aversion to a new Parliament had disswaded the Episcopall party to take the oaths. For my own part I doe not think a new Parliament for the King's service, nor ever was for pressing the oaths on private men that behaved

themselves discreetly, but only to men in publick trust or who receive favours of the King, or who by word or deed discover their disaffection, for a handle to punish them. However some men are imprisoned upon that account, which both your Grace and I were active in doing, nether of us can be misrepresented as hindring men to take the oaths from the fear of a new Parliament, and many of these in prison are in the third classis, that is of men who have acted undutifully," etc.

272. Letter from the Earl of Tweeddale, then Chancellor of Scotland, intimating a reported invasion from France, and summoning Hamilton to a Council to agree as to defence. Edinburgh, 27th April 1692. Accompanying this is a letter from the famous Andrew Fletcher of Salton. "I know you will be surprised to receve a letter from me. But my writting to you in such ane exegence showes the high estime I must have of you, and of that trew love you bear your religion and contray. If laying aside all other considerations, you do not come in presently and assist at Councel, all things will go into confusion, and your presence their will easily retrive all. The Castel has been very near surprised, and ane advertisment which Secretary Jhonston had from France and wrot hither hes saved it. When things are any ways composed you may returne to your former measurs, for I do approuve of them. I do advise your Grace to the most honorable thing you can do; and without which your contray must perish. Your Grace's most humble servant, A. Fletcher." Edinburgh, 29th April 1692.

273. Packet of letters from Hamilton to the King and Queen, with two letters from them, in the year 1693. The most noteworthy is a holograph letter from King William. "Au Camp de Diegem ce 2d de May 1693. J'ay voulu vous asseurer de ma main la satisfaction que j'ay de vostre conduite, et des pienes que vous pour mon seruice au Parlement d'Ecosse, les quelles je recognoisteres en tous les occasions ou je vous pouves donner des marques de mon estime et amitie. William R."

274. Packet of letters from the Earl of Portland, between February 1692 and 17th August 1693 [in French] with Hamilton's replies. None of these are of special interest, the earlier partly referring to Hamilton's absence from the Privy Council, and those of later date being chiefly complimentary.

275. Packet of letters from the Reverend William Carstares, dated at intervals between 16th May 1692 and August 1693. Of these the most noteworthy are: (1) of date at London, 28th March 1693, referring apparently to the coming session of Parliament to which Hamilton was Commissioner. Carstares writes, after professing his own faithfulness and Lord Portland's honesty, "I presume to think it may not be amisse that your Grace write such a letter to his Majestie as in your wisdom your Grace shall think suitable to what he hath done for your selfe and, by your Grace's advice, for the good of the kingdom at this juncture; and if I may have the honour to know when your Grace doth send such a letter I shall take the boldnesse to mind his Majestie of it, I being to have the honour to be near to him this campagn. What accounts of affairs your Grace shall think fitt to give me by your secretarie or otherwise shall be faithfullie and honestlie managed, and I doubt not but care will be taken that informations of matters be such as may capacitat any concerned in your Grace that shall be with the King to prevent credit being given to misrepresentations that some may be apt to make of what shall passe in Parliament or upon other occasions.

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All I shall presume to trouble your Grace further with is that it is and shall be my earnest desire to the Almightie in your Grace's behalfe that in this criticall juncture you may have the honour to be an instrument of great good to your Prince and countrey as to religious and civill concerns," etc. (2.) In a letter dated Loo, April 27, 1693, Carstares writes, "The concern that I have that this Parliament may have an issue to his Majestie's satisfaction and your Grace's honour makes me take the boldnesse humblie to entreat that it may be endeavoured by your Grace to have things so managed that your greatest enemies may not have any shadow of a ground to say that affairs have been done out of picque against particular persons rather then from a concern for a publick good and the ease of his Majestie's affairs. I know that your Grace and others have too good reason to complain of the conduct of some in the session, but I am sure that your Grace will find that it will be more for your own and the publick interest to forbear to make any representation by Parliament against particular men at this time then to doe otherwise, and I may confidentlie say that your Grace's preventing any such thing its being done by Parliament will give any representations that your Grace shall think fitt to make when you shall wait upon the King a double weight. I doe not only presume to say these things from my selfe, but it is my Lord Portland's earnest desire to your Grace that for your own and friends sake no publick representation be made at this time against my Lord Stares or any others against whom any procedure may seem to flow from particular prejudice. His Lordship does advise this from an honest heart of a true friend to your Grace, and I hope your Grace will pardon the freedom which [the writer] presumes to take."

276. Packet of letters from Lord Basil Hamilton, sixth son of the Duke of Hamilton, to his father, between 12th December 1691 and 19th May 1692. A few of these letters or rather excerpts from the most noteworthy were printed in the Appendix to "Dalrymple's Memoirs of Great Britain and Ireland" in 1773. It cannot, however, be said that they are of special public interest, being chiefly occupied with the personal relations of the Duke of Hamilton, who was then dissatisfied with the Government and in opposition to Secretary Stair.

277. Letters from various members of the family and others in reference to the last illness and death of William [Douglas], Duke of Hamilton. Among these letters the only one of interest is the following from Queen Mary to the Duchess of Hamilton. "Kensington, Aprill the 28th, 1694. I am so sencible of the just affliction you are in at this time that I hardly know what to say to you upon it, but I can assure the Duchesse of Hamilton that I am realy sory for the death of the Duke of Hamilton upon many more accounts then I have time to name, and I have ever had so much esteem for yourself as makes me perticulerly so for your sake, beliveing the losse of a good husban the dreadfulest thing that can hapen in this world. I pray God asist you to bear it as you ought. Nothing but his grace can suport you. I am sure what can come from any els is rathere troble then ease, therefore I shall say no more but that I am your afectionate friend. Marie R." Addressed, "For the Duchesse of Hamilton."

Among the more miscellaneous papers relating to the time of William [Douglas] Duke of Hamilton, is a packet of letters from James, Duke of York, and his Duchess, Mary of Modena, to the Duke and Duchess of Hamilton. These letters are somewhat of a private nature, but the more noteworthy are given below.

278. From James, Duke of York, to the Duke of Hamilton. "Newmarkett, March 18th [1682]. I have giuen his Ma[jestie] an account of what you sayd to me when I came from Edenburgh, and did you all the right I could, and he has commanded me to tell you that he looks on it as for his service that you should take the test, which now I hope you will do and lett him in all things see I have not given a wrong caracter of you which will capacitat me the more to lett you see how true a freind I am to you. James." A draft letter from Hamilton in reply, dated 30th March 1682, informs the Duke of York that he had on the preceding day taken the test, as it was thought to be for his Majesty's service.

279. The Duke of York to the Duke of Hamilton, dated from Windsor, 17th June 1682; a friendly note, simply expressing "kindnesse and esteeme."

280. Draft letter, the Duke of Hamilton to the Duke of York, dated 26th December 1683, stating that "hearing of late the surprising transactions at which all your faithfull sarvants seams concerned, I have presumed at this time to renew the assurances I gave your Royal Highness of my sincer intentions to sarve the King and your self, and that I resolve to the outmost of my power to oppose all desings to the prejudice of ether," etc. To this the Duke of York replies: "London, Jan[uary] 6, 1684. I have receued yours of the 26th of last month, and do easily beleue and intirly rely on the renewd assurances you giue me, being sure you will alway behaue your self as becoms a loyal subject to his Majestie and a good freind to me. You are very much in the right to call what has happned of late, in relation to the Duke of Monmouth, (those surprising transactions) for realy they were so, but since his duty to the King was not strong enough to master his ambition his discouering himself so sone after he had his pardon here, I thinke, was very lucky, for otherwise hauing those thoughts in his head, he might haue done much mischeef had he stayed at Court, and when he is not heare I thinke he can do little; tis sayd he is gone beyond sea, and I beleue it, for he has not been heard of at his house in the country of late, and his wife says she does not know where he is. We have very bitter cold weather here now, and the river has been quite frosen ouer euer since the 2nd of this month, which is all I shall say to you at this tyme, but to assure you you shall euer find me to be a true freind to you. James." [Hamilton wrote again on 19th January 1684, professing his service.]

281. A letter from the Duke of York, dated London, 9th December 1673, refers apparently to Hamilton's hesitation to act with the Government [cf. Nos. 42–45 supra]. "My Lord Duke Hamilton, I receued your letter some days since, to which I had soner answerd but that upon what you had writen to me in it [I] though[t] it necessary to enquire a little how his Majesty stood satisfyd with you as to some things had latly past where you are, as also to satisfy my self as well as I could what ground there was for what had been reported here, and to tell you true found his Majesty not well pleased with what you had done, and could have wished you had not giuen so much cause for what has been reported here, being sorry that you for whom I have always had so much kindnesse and esteeme should do anything to make his Majesty lesse satisfyd with you then I know he has been, and therefore I should be glad, if things have been misrepresented, you would do your part, and giue me the means of justifying you to him, for you shall have reason to looke on me as being your most affectionat freind. James."

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282. The letters of the Duchess of York are all addressed to the Duchess of Hamilton. The earliest is in reply to a letter dated 2nd March 1680, congratulating her Royal Highness on her safe arrival in London after a voyage from Scotland. "St. Jamsis, the 17th of March. I received the other day yours of the 2d for the kynd expressions of which i giue you a thousand thanks, and assure you that as long as i liue i shall neuer forgett your kyndnesse to me, but shall always watch the occasions of shewing you my gratitude for it and lett you see the sense i have of it." Various reasons for the delay in writing are given, and she adds "My mother . . is coming hither on purpose to see me, and would haue been hear the last weeke if the wind had not been extrem high and contrary; i expect her now euery day and you may imagine it will be a great satisfaction to me to see her befor she gos back into Italy. Pray when euer you writt to me dont do it with any forme or ceremony for i cant indure it from a friend, i look upon you as mine, and i assure you i am, without any compliment, truly yours, Mary. Pray remember me uery kindly to Lady Catterine."

283. There are several other letters from the Duchess of York, the date of one or two being uncertain, while others are written during the first half of the year 1682 from January to May 14th, soon after which date the Duchess left Scotland. One letter, in reply to a letter of Duchess Hamilton's, dated 26th December 1681, refers to a fall from horseback sustained by the Princess, but from which she suffered no serious evil effects. At another time, in answer to a letter expressing sorrow for the death of her "louelie child," the Princess writes from Edinburgh on April 4, [1681 ?] excusing her silence. . . . i was uery often ill, for a great while toguether, and was hardly recouered when i had the sad news of my poor girle's death. You may imagine that it was a uery sensible affliction to me, hauing no other and as i fear neuer shall, but wee must all submitt to God's will, i am extremly obliged to you for the concern you express to have for me and i thank you for it a thousand times; i should have done it sooner, but that the last weeke was one of great devotion with us which hindered me from doing it. I do beleeve i haue had your pity in this my great trouble for i know you are good natured and beside you have always giuen me so many assurances of your kyndnesse that i do beleeue you haue som for me. Fray be you as just to me and neuer doubt of my beeing with great sincerity truly yours, Mary."

Section III.—Letters and Papers relating to James, fourth Duke of Hamilton, 1678–1707.

284. Letter from King Charles the Second to Anne, Duchess of Hamilton, as to her son. "Whithall, 8th Nou[ember] 1678. Madame, This bearer your son has so much in his lookes of your father and vncle, as I cannot chuse but be very kind to him vpon that score, and I am confident [he] will deserue no lesse of me vpon his owne. I do make it my sute to you, that you would giue him leaue to returne hether, that he might make a little voyage with a frind of myne. He will tell you himselfe the particulars. I shall add no more only to assure [you] that I am, Madame, your affectionate friend Charles R." Addressed, "For the Duchesse of Hamilton."

285. Small packet of letters from the Earl of Melfort to James, Earl of Arran, during April, May, and June 1687. These letters refer chiefly to the dispute between the Duke of Hamilton and the Earl of Perth as

to the occupancy of certain rooms in Holyrood House, but they touch on other matters also. Writing on 23rd April 1687. Melfort says "The death of the Duke of Buckingham [George Villiers] has procured the Garter to the Earle of Sunderland, at which you may judge I am not a litle pleased." Of the Order of the Thistle then newly instituted, he writes, on 7th May, "As for the Order of the Thistle its antient splendor is mor then all the neu tacks, and as for thes who will not be fond of it, I am of opinione they should not hav it but ther will be no defect; ther is a nomination of some, but you will be hear befor they be publique. In the meantime you shall come in your own place." After the issue of the Order, Melfort writes, on 26th June 1687, "The Order, of which you ask, has had effects beyond my expectatione, so that I wold not giv a farthing betuixt the Garter and it, if both wer in my choise, and to all forraigners ours seims preferable becaus of the rise of it."

286. Packet of letters, chiefly drafts, from James, fourth Duke of Hamilton, to Queen Anne, Sarah Countess of Marlborough, the Earl of Godolphin, and others. These letters are dated in the early part of the year 1702, and refer to Hamilton's proceedings in the Parliament of 1702, but contain nothing of special importance.

287. Letter from John [Paterson], Bishop of Glasgow, dated Edinburgh, 13th February 1703: "I no sooner heard of the sillie memoirs of Bishop Guthrie's [Henry Guthrie, Bishop of Dunkeld] being come in printt to this place, but I mynded where ane originall manuscript of Sir James Turner's observations upon them was to be had; and ceased not till I got it and took a copie of it. . . . He [Sir James] being ane officer in the engagement 1648 under your Grace's noble grandfather, and a growne man before the fatall transaction of the Covenant and rebellion following it, is off sufficient authoritie to confute the base, foolish, and calumnious passages in the Bishop's memoirs which tend to the blackning of the honor and integritie off your said grandfather and of his brother, Duke William. I am sorrie such memoirs sould ever been written, much more that ever they sould haue been printed, and most of all that they sould haue a bishop for their author. Your Grace knows best how to make use off this copie (the original manuscript being in the hands of Sir Robert Sibbald, all written by Sir James Turner's owne hand) in anie thing which may be published in confutation off these idle memoirs. I hope your Grace will not be angrie with the sacred order for the follie or malice off one who wrote them quhen a rigid Covenanter long before he had the honor to bear the caracter off a Bishop," etc. In a P.S. the Bishop adds, "I sall take care to cause Sir Robert Sibbald (who is a doctor off medicine here) preserve the originall manuscript in case it may be needed. It wes written aboue twentie years agone, and is so much the more noticeable now." [The paper of which Bishop Paterson sends a copy to the Duke of Hamilton contains the observations by Sir James Turner on Bishop Guthrie's MS., refuting the Bishop's statements about the first Duke of Hamilton, etc. These observations are printed in the first Appendix to the Memoirs of Sir James Turner, issued to the Bannatyne Club. They were printed from the original MS., now among the Sibbald MSS. in the Library of the Faculty of Advocates, Edinburgh.]

288. Packet of letters to the Duke of Hamilton, from the Duchess of Hamilton his mother, the Earl of Home, and George Lockhart of Carnwath, all opposed to the Union of Scotland with England. These

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letters are written at intervals during the years 1700, 1706, and part of 1707, and contain nothing of special importance, but the following may be given as examples:—

Letter from the Earl of Home, dated at Edinburgh, 3rd March 1705, to the Duke of Hamilton, who was then in London, and who had desired to know the position of parties in Scotland. " . . Although your Grace desyres to know many things . . . . the certainte of some of them I cannot be positive to averre, yet I shall goe closs to answer your letter in all particulars as fare as I can. In the first place, I have mett with all our freinds that are in toun, who are all firme and steady and of opinion that although the Duke of Queensberry joyne with the secretaries and Argyle (who is now certainly Commissioner), they will not be able to carrie their maine designe, for ther are many of his freinds who will not goe along with him in it, particularly the Earl of Galloway and his brother the Earl of Bute, and his (*sic*) and seaverall others. As to the inclinatione of the people generally speaking, I find every bodye very ill satisfied with the treatment of the Parliament of England, but all seems to be much irritated, and I truely beleive in this cessione of Parliament we may raither gaine then loose by it. As to the Duke of Queensberry's freinds, the Earl of Staires, &c. are very fond to have him come down. But others who I think have als much freindship for him are very positive that he ought not, and have advised him soe. I can give you litle account of Rothes, but I can assure you in generall that all the new courtiers here are very dissatisfied at present, being persuaded that iff the Duke of Queensberry doe joyne with the rest they are only to be tools to bring about the designes which are hatched in this Parliament, and then to be turned off after the Parliament is over. I doubt not your Grace knows that Seafeild is to be Chancellor, Annandale Secretarie, and the Chancellor President of the Counsell. Annandale seems to be very ill pleased with this change. The Justice Clerk continues after his old manner very hot, but I can assure you that he hath had noe influence to make proselites. As to the Thesaurer Deput, your Grace knows that he is ane very closs man, and can not easily be pumped; but certainly he will be at the Register's beck, who is lost if Queensberry succeid. I dare assure your Grace not one of the Justice Generall freinds will goe along with them. Eglintoun is very firme, and not well pleased Seafield." The writer concludes by an earnest wish that the Duke were himself in Scotland.

In a later letter, from the Hirsell, 19th March 1705, Lord Home again writes, urging Hamilton's speedy return and quotes a "letter written by a person of quality, and in a considerable post, to a friend at Edinburgh, wherein he sayes that if the D[uke] of H[amilton] bestirre himselfe in this session of Parliament he may doe good to himselfe and friends and great service to his country."

George Lockhart of Carnwath, writing about the beginning of March, gives an opinion of affairs similar to that of Lord Home, and adds, "In generall I may venture to say that I belive the plurality of the nation by far, whither you consider number or interest, do resent the male-treatment wee have received from England, and have found it the unanimous opinion of all your Grace's freinds here, that the making the least advance towards any treaty with England, untill they'r late Act in relation to us be repeald, is alltogether inconsistent with the honour of this nation, but the measures how to obviat the same cannot be concluded and agreed upon, untill your Grace comes to this country." He therefore begs the Duke's presence with all haste. " . . . Ther is one

thing that all your Grace's freinds were unanimous in, and requird me to show so much to your Grace, and that is they thought it absolutely necessary for promoting the interest of Pat: Steils club that your Grace and [Fletcher of] Salton were again in good understanding. Nobody will pretend to justifye all his actions and manner of proceedings, but yet he is so usefull a member of a party (take him alltogether) that your Grace cannot but perceive how great a disadvantage it would be not to have him in concert att this time. The means and ways how to bring this reconciliation about must be left on your Grace's part to yourself, but that it were effected is the hearty wish of all your Grace's freinds, and I have reason to belive Salton is very farr from being averss to it, but on the contrary very desirous of it."

On 26th March 1705, Lockhart writes, giving the Earl of Roxburgh as the author of a saying similar to that quoted by Lord Home, on which he comments, "Whither this be cunning in hopes to fish into our designes, or whither it proceeds from a designe of returning again amongst us I shall [not] pretend to determine, but I think to save the boat wee ought to make use of all seamen whither formerly pyrates or fair-dealing traders." He again urges Hamilton's speedy return.

On 12th April 1705 Lockhart refers first to a threatened attack by the "rable" on Chancellor Seafield, and then to an interview which he had with him. "At first I found him very much upon his high horse, asserting that wee designed plainly one of 2 things, either to establish a commonwealth or a popish successour, against both which he'd venture life and fortune. I fell a laughing and told him that now I was realy convinced that he and the D. of Queens—ry had patched up ther breaches since his Lordship was pleasd to lay hold on his arguments, to which he answered, by no means, he was not in that freindship with that Duke that I supposed, and for his part he expected if this Court prevaild he would not long remain in his post. He told me positively that unless wee'd setle the successour wee need not expect to obtain any laws for regulating our constitution, and if wee'd not give mony theyd govern us without ane army, and the great argument he insists on for leaving the nomination of the treaters to the Queen is that this country is divided, and that therfore she'l make a better choise than wee can do. In short, my Lord, all I coud make of or do with him was to see that he remained the old man, ready to stand with the upmost and argue in behalf of evry thing that's projected, and I threaten'd him with being entirely demolished and run down nixt Parliament. . . . I cannot see how the Court can propose to themselves to be able to carry throw ther point, and tis without doubt that if wee manadge our affairs right we shall do our business bravly. The Chancelour told me that they had not concluded what measures to take. I told him I suposed before the Duke of Argyle accepted his office that the Queen and he had concluded upon the conditions that was to be required of him, so that they coud not but know and evrybody pretended to know what it was they had engadged to do to the Queen and English ministry. Yes, says he, that's true, but wee dont yet [know ?] what methods to take to effectuat. As for that, my Lord, says I, [I] hope all of you shall still be ignorant, and neither ever come to a resolution nor be capable to put it in practice, and realy what he said to me I belive to be true for I do not hear that either himself or his agents are going about as they used, and I suppose they find they'r engadged to loose so ravelled a knot that they know not att which end to begin, and will do nothing till his High and Mighty Grace come down, who as far as I can understand knows nor proposes no way to loose such

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Gordian knots, but like Alexander the Great to cutt them with his sword."

The Duchess of Hamilton's letters are for the most part dated towards the close of 1706 and the beginning of 1707. They show a strong animus against the Union, and that the people of the district were encouraged by her in expressing opposition to the measure, while she encourages her son the Duke in his dissent.

289. Packet of letters addressed to James, fifth Duke of Hamilton, by various Scottish Peers, in 1722, in reference to certain attempts to curtail their privileges in the House of Lords.

ADDITIONAL HAMILTON CHARTERS RECENTLY DISCOVERED.

Since the foregoing part of this Report was written, a large number of charters, and other writs of a similar nature, were discovered at Hamilton, not in the charter-room, where the writs previously reported on were examined by me, but in a garret in the Chamberlain's office. No person now connected with the affairs of the Duke of Hamilton was aware of the existence of these writs. The large and spacious charter-room, which is one of the best in Scotland, was built and arranged in the time of Duke Alexander, grandfather of the present Duke. Duke Alexander guarded his charter-room so carefully that it is certain the large collection of charters recently discovered apart from the charter-room must have been separated from the other writs before his time. From markings on several of these papers it is probable that they had been inspected by Lord William Douglas, Duke of Hamilton, the husband of the Duchess Anne.

Immediately upon the discovery the Duke of Hamilton's agents communicated the fact to me, and by their courtesy I have been enabled to make a full examination of the documents, which has resulted in the following additions to the Report on the charters.

The writs now reported on, though comparatively few in number, have been selected from a large collection of papers, which, on examination, proved of little public interest. Of these here noted, some have a considerable historical interest, while others, of less apparent value, are illustrative of some items of local or personal history. The numbers run consecutive with those of first Report pp. 1–59 *supra*.

The document first reported on [No. 122 infra] is a charter by King David the Second, confirming and narrating a grant by his father, King Robert the Bruce, to Oliver Carpenter, of the lands of Eddlewood near Hamilton. This is a grant which, if tradition could be depended upon, commemorates one of the numerous narrow escapes made by that monarch. It is related in some of the MS. versions of Bower's continuation of Fordun, that Bruce being extremely desirous to possess the castle of Dumbarton, then held for the English by Sir John Menteith, entered into negotiations with the latter, who at last sent a message that he would deliver the fortress on a set day. As Bruce and his followers were on their way to take possession, they were met by a carpenter, whom Bower calls Roland, who warned the King that Menteith had laid a snare for his destruction. Thus forewarned, the

King took measures which defeated Menteith's treachery, and the latter was, it is said, confined in the castle until the near approach of the battle of Bannockburn, where he was forced to fight against the English. This incident is said to have taken place in the year 1311, and the writer adds that the carpenter was rewarded by King Robert with the lands of Edalwood in Clydesdale. Buchanan, in his History of Scotland, also narrates this incident of Roland the carpenter, placing it, however, at a date after the battle of Bannockburn.

Hitherto the only apparent corroboration of this narrative has been an entry in Robertson's Index of Missing Charters [p. 21], which records among those of King Robert Bruce :—"Carta Oliuarii Carpentarii of ane bounding infeftment of the lands of Edalwood in valle de Clyd, Lanerk." Founding on this entry alone, Mr. Chalmers [Caledonia, Vol. III., p. 873*n*] alleges that Bruce obtained possession of Dumbarton partly by capitulation, and partly by stratagem, adding, "Oliver a carpenter, the author of the stratagem, was rewarded by a grant of the lands of Edalwood in Clydesdale." In the writ now reported, however, we have a confirmation of the writ to Oliver the carpenter, with a copy of the original, and it cannot be said that it bears out the statement made by Chalmers. No reference is made in it to his special service, and no conclusion whatever can be drawn from it as to the truth or falsehood of the tradition. It may be added that there is reason for doubting the incident, as it is said to have occurred in 1311, while Sir John Menteith had already in 1309 sworn fealty to Bruce, and was afterwards a prominent adherent of that king.

Oliver the carpenter has been assumed, by a writer on the subject, to be a relative of the Hamilton family, on the ground that they succeeded to his lands of Edalwood; but this view is founded on imperfect evidence. The first grant made to the Hamiltons of the lands of Edalwood was in December 1367, when, as shown in No. 3 of this Report, it was, for special reasons, added to the barony of Cadzow. The lands were then held in tenandry of the Crown, and the feudal service of the tenant was also granted to the then Lord of Cadzow. A few months later, in April 1368, the lands were [according to No. 123 now reported on] bestowed by King David upon Sir William Cunningham. These writs show that the lands were then, by the decease of Carpenter without heirs, or from some other cause, in the hands of the Crown, who granted them to the Hamiltons, and they were not inherited by that family.

The next writ [No. 124] has nothing special in its contents, but the persons of whom it treats are noteworthy. The granter of it, Hugh, Lord of Douglas, was the immediate younger brother of the "Good Sir James," and, though he was an ecclesiastic, being rector of Old Roxburgh and a canon of Glasgow Cathedral, he exercised proprietary rights over the Douglas estates, and various charters by him still exist. He is usually said to have been the direct heir of his brother Sir James, but it has recently been shown in "The Douglas Book" that Sir James left a son, William Douglas, who succeeded to his father in the lordship of Douglas. While still a youth, William Douglas of Douglas was killed at Halidon in 1333, along with his youngest uncle Archibald Douglas, then Regent of Scotland. The Sir William Douglas, to whom the charter is granted, was the famous Knight of Liddesdale, who had, during the years between 1335 and the date of this grant, made himself conspicuous in irregular warfare against the English invaders of Scotland, and he also did much to preserve those portions of the Douglas estates which lay on the borders of Scotland. Hugh, Lord of Douglas, in return, made numerous grants of land to his kinsman, one of which

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is now reported on, the latest probably made by him as Lord of Douglas. Four days later he resigned the whole lands of Douglasdale and others into the hands of King David the Second, who regranted them in favour of William Douglas, afterwards first Earl of Douglas, son of Sir Archibald Douglas the Regent, with a reversion to Archibald Douglas, natural son of the Good Sir James. The lady, whose writ is confirmed by Hugh Lord of Douglas, was the widow of Sir Henry Haliburton, who had died about 1330.

The documents immediately following [Nos. 125 and 126] are by William, first Earl of Douglas, but call for no special notice, except that Alan Lauder, named in the second writ, was the second son of Sir Robert Lauder of Quarrelwood and the Bass, and the immediate ancestor of the family of Lauder of Hatton, now lineally represented by the Earl of Lauderdale.

The next writ [No. 127] is a discharge by Gilbert McLellan of Balmaclellan, a Galloway landowner, in favour of Sir Archibald Douglas (Archibald the Grim), Lord of Galloway, afterwards third Earl of Douglas. It has been asserted that this Grim Lord of Galloway oppressed his vassals in that district, but this discharge shows that he also paid full money value for the rights acquired by him. In the next generation the lands of Balmaclellan were granted to the ancestor of the Gordons of Lochinvar and Kenmure.

Passing over the intervening numbers as of no special importance, No. 130 (3) may be referred to as a writ of which the exact date has hitherto not been generally known. It is of some importance as fixing the date of the marriage of Sir James Sandilands of Calder and Princess Joanna daughter of King Robert II. She was the widow of Sir John Lyon of Glamis whom she married in 1378, and who was assassinated on 4th November 1382. At the time of her marriage to Lyon she was the widow of Sir John Keith, eldest son of Sir William Keith, Marischal, whom she married before 1370. The next writ reported [No. 130 (4)] is also not now known to be extant in the original, nor is it on record.

No. 130 (5), although an imperfect copy, is of interest as recalling an expedition made by various Scottish Knights to Dantzic about the year 1389 and later. Their principal leader was Sir William Douglas of Nithsdale, a natural son of the third Earl of Douglas, and one of the most famous warriors of his day. Sir Robert Stewart of Durisdeer, ancestor of the family of Rosyth, was a companion in arms of that Sir William Douglas, and he is probably the person to whom the receipt was granted. It is more difficult to identify the Sir James Douglas who by this writ acknowledges his debt, but he may have been one of the Douglases of Dalkeith. The promise that if he failed to repay the loan he would not wear the armour of a knight without his creditor's permission is characteristic of a chivalrous age.

Writ No. 131 is the only charter at present known to exist of James of Douglas, Earl of Avondale, granted after his succession to the earldom of Douglas. He is popularly known in the Douglas History as James the Gross, owing to his great corpulence. As stated in the note to the charter it must have been granted very shortly after the Earl's succession, and this is corroborated by the fact that his seal describes him not as Earl of Douglas, but by his earlier title of Earl of Avondale. To that charter is also appended the seal of his eldest son William, afterwards eighth Earl of Douglas, whose tragic fate by the hand of King James the Second in the Douglas room in Stirling Castle is well known.

Nos. 136 to 150 call for no special remark. No. 151 records the resignation by Sir James Hamilton of Finnart, natural son of James

first Earl of Arran, of all possible right to his father's estates which he had [by No. 27 of this Report, or] in any way. A comparison with No. 108 shows that it was almost on the last day of his life that the Earl required this resignation from Sir James, who was appointed guardian to his lawful brother James, second Earl of Arran, afterwards Governor of Scotland.

A charter by King James the Fifth in 1539 [No. 156] has preserved an old charter of the lands of Western Byres, which will be interesting to antiquarians, as it connects the old family of Graham of Abercorn with the barony of Torbolton in Ayrshire.

The remarkable instrument reported on in No. 158 does not appear ever to have been seen by later historians, though its contents are referred to by writers of the sixteenth century. It appears to be the original document upon which Cardinal Beaton founded in his bold attempt to gain chief authority in Scotland after the death of King James the Fifth. Of this design Buchanan, who was a contemporary, in his history says: "Having bribed Henry Balfour, a mercenary priest, he (the Cardinal) with his assistance forged a false will for the King, in which he himself was nominated head of the Government and three of the most powerful of the nobility joined with him as assessors."

This is precisely the tenor of the document now reported on, which is drawn up in the usual form of a notary's instrument by a Henry Balfour, who asserts that he is a presbyter of the diocese of Dunkeld and a notary public by apostolic authority. He authenticates the instrument by his subscription "Henricus Balfour, Notarius Publicus." The document bears to have been carefully prepared. The witnesses named as being present on the occasion are eleven in number, including the Master of the Household, the Gentleman of the Bedchamber, the Doctor, and other persons both lay and clerical. The writ bears the date of 14th December 1542, but, according to the Treasurer's accounts, the King lived until the 16th. An indorsation on the instrument in a very large hand, quite different from that in the writ itself, bears that Henry Balfour "never was Notar". A further charge was made against the Cardinal that he had forced the dying King to subscribe a blank paper, on which a will was afterwards written to the Cardinal's dictation. But Knox, and Calderwood, in their respective Histories, state that the Cardinal, coming suddenly to the King, asked, with other questions, "'sall there not be four regents chosin, and sall not I be principall.' Whatsoever the King answered, documents were taken that so it should be as my lord Cardinal thought expedient." This is more consistent with the character of the Notarial Instrument now in question, which details, as was usual in such instruments, all that was done in presence of the writer. It tells of the King's illness, alleges his anxiety about his daughter and the kingdom, and narrates how he appointed David Beaton Cardinal and Archbishop of St. Andrews, James Earl of Moray (natural brother of the King), George Earl of Huntly, and Archibald Earl of Argyll, to act as tutors testamentary to his infant daughter, and also as Governors of the Kingdom. This agrees with the account given by Calderwood, and there is therefore every probability that the present writ is the very document which was thus founded upon by Cardinal Beaton. As is well known, however, his attempt was unsuccessful, his alleged authority being declared a forgery, and the Earl of Arran was appointed Governor. The Instrument had probably been taken possession of by the Governor Arran as a superseded document. It has apparently continued amongst the Hamilton Muniments ever since the time of the Governor Arran.

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The Act of Parliament appointing him Regent and the Notarial Instrument in favour of the Cardinal, which would have set aside Arran, have thus been preserved in the same charter chest, but hitherto the last-named deed has escaped observation.

Of the remaining writs now reported on the following are the most noteworthy. No. 160, illustrating the practice of pledging the king's jewellery and other ornaments for balances due to the Treasurer in the Exchequer Account. No. 167 shows the scarcity of money, and the care with which creditors stipulated the names of the coins of gold and silver in which their loans should be repaid. No. 169 tells the story of a wealthy churchman who was robbed of his plate and money by the Earl of Arran, eldest son of the Duke of Chatelherault. No. 171 illustrates the difficulty experienced by some of those known as the "banished lords" in recovering possession of their lands, after their restoration to favor in 1585. No. 173 details the salary and payments made to the Captain of the Castle of Brodick and Isle of Arran, while No. 174 shows how the sheriff of a county and his deputies were held reponsible for deficiency in the amount of taxation expected from within their bounds of jurisdiction.

Besides the writs now fully reported, there are, among the papers recently discovered, a number of estate accounts, and teind-books of the properties of Crawford, Crawford-Douglas and Douglas-Moor, dated between 1641 and 1669; but these, on examination, showed nothing worthy of detailed notice. There are also various writs relating to the lands of Elieston and Manerston in the shire of Linlithgow. Some of these have been noted, but the remainder are not of sufficient importance to be reported on.

122. Charter by King David II. confirming a charter granted by his father King Robert Bruce to Oliver Carpenter of the lands of Edalwood. n.d.

Dauid Dei gracia Rex Scottorum Omnibus probis hominibus tocius terre sue clericis et laicis salutem. Sciatis quod inspeximus registrum recolende memorie domini Roberti progenitoris nostri regis Scocie vbi inuenimus vidimus et inspeximus transcriptum carte eiusdem domini progenitoris nostri facte quondam Oliuero Ca[r]pentare tenorem de verbo in verbum continens subsequentem,—Robertus Dei gracia Rex Scottorum Omnibus probis hominibus tocius terre sue salutem: Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse Oliuero Carpentare dilecto et fideli nostro pro homagio et seruicio suo totam terram nostram de Edalwode infra vallem de Clude per diuisas subscriptas, videlicet, sicut Poldeuyn vsque Curschalan et sicut ascendendo le burne de Eckerly et sicut ascendendo le Lymekilnburne vsque in Crauschaw et sicut ex transuerso le Espleylau et sicut descendendo per le Pissandbryk vsque le Forestburne et sicut descendendo le Forestburne vsque le Milne-damme de Cadzov et sicut per terram de Brekualstoun vsque Poldeuyn; Tenendam et [habendam] prefato Oliuero et heredibus suis de nobis et heredibus nostris libere quiete plenarie et honorifice in boscis et planis in pratis et pascuis in viis et semitis in stagnis et molendinis ac multuris in moris et marresiis in aquis et piscariis cum omnibus commoditatibus, libertatibus aysiamentis et iustis pertinenciis suis tam non nominatis quam nominatis: Reddendo inde nobis et heredibus nostris dictus Oliuerus et heredes sui quatuor marcas sterlingorum annuatim ad terminos Pentecostes et Sancti Martini proporcionaliter; et faciendo inde forinsecum seruicium

nostrum vnius architenentis, et tres sectas curie ad curiam nostram de Cadyov ad tria placita capitalia per annum tantum. In cuius rei, etc. Testibus, etc. . . . . dicti quondam domini progenitoris nostri omnem . . . . . sicut in eadem plenius et integrius . . . . . testimonium presentibus sigillum nostrum precepimus apponi: Apud Edynburgh vicesimo quinto die mensis Julii . . . . [Original much torn and defaced.]

123. Charter by King David II. granting the same lands to Sir William Cunningham. [1368.]

Dauid Dei gracia Rex Scottorum Omnibus probis hominibus tocius terre sue salutem. Sciatis nos dedisse concessise et hac presenti carta nostra confirmasse dilecto consanguineo nostro Willelmo de Conyngham militi totam terram nostram de Edalewod cum pertinenciis in baronia de Cadiow infra vicecomitatum de Lanark quam quidem terram alias sibi concedebamus per cartam nostram Tenendam et habendam eidem Willelmo et heredibus suis de nobis et heredibus nostris in feodo et hereditate per omnes rectas metas et diuisas suas cum omnibus et singulis libertatibus commoditatibus aysiamentis et iustis pertinenciis suis quibuscunque ad dictam terram spectantibus seu quoquomodo iuste spectare valentibus infuturum reuocatione nostra non obstante Faciendo inde seruicium debitum et consuetum: In cuius rei testimonium presenti carte nostre sigillum nostrum precepimus apponi; Testibus venerabilibus in Christo patribus Willelmo episcopo Sancti Andree et Patricio episcopo Brechinensi Cancellario nostro, Roberto, Senescallo Scocie Comite de Stratherne nepote nostro, Willelmo Comite de Douglas, Roberto de Erskyne, Archebaldo de Douglas et Willelmo de Dysechyngtoun, militibus. Apud Edynburgh decimo octauo die Aprilis anno regni nostri tricesimo nono. [1368.]

Note.—Neither of the two preceding writs are to be found in the existing registers of the Great Seal.

124. Charter of Confirmation by Hugh Lord of Douglas to Sir William Douglas, Lord of Liddesdale. 1342.

Omnibus hanc cartam visuris uel audituris Hugo dominus de Douglas salutem in Domino sempiternam Noueritis nos cartam domine Agnetis domine de Morthintoun factam domino Willelmo de Douglas domino de Ledelsdale consanguineo nostro speciali et suis meritis predilecto, non cancellatam, non abolitam, non suspectam nec in aliqua sui parte viciatam inspexisse, ac veraciter intellexisse in haec verba. Omnibus hanc cartam visuris uel audituris Agnes domina de Morthingtoun salutem in Domino sempiternam Sciatis me dedisse concessisse et hac presenti carta mea confirmasse in mea legitima viduetate nobili viro domino Willelmo de Douglas domino Vallis de Ledel, militi, illas quadraginta solidatas terrarum et annui redditus me hereditarie contingentes in dominio de Lawedre quas et quem predecessores mei tenuerunt a Comite Buchanie, et ego tenui vt de feodo a domino Jacobo quondam Domino de Douglas et vallis de Lawedre, videlicet duas bouatas terre iacentes in villa de Newbyggyngh et dimediam marcatam terre in dominio vallis de Lawedre; dimediam marcatam terre in Leuedyparke cum dimedia marca annui redditus in molendino de Aldystoun. Tenendas et habendas eidem domino Willelmo heredibus suis et suis assignatis adeo libere quiete integre plenarie et honorifice sicut ego uel predecessores mei dictas terras cum dicto annuali redditu liberius

de quocunque capitali domino eiusdem vnacum omnimodis libertatibus commoditatibus aysiamentis et iustis pertinenciis ad dictas terras et annualem redditum spectantibus seu quoquomodo spectare valentibus in futurum Faciendo inde dictus dominus Willelmus, heredes sui uel sui assignati capitali domino eiusdem seruicia inde debita et consueta; et ego vero prefata Agnes heredes mei et mei assignati dictas terras cum annuali redditu predicto contra omnes homines et feminas warantizabimus acquietabimus et inperpetuum defendemus. In cuius rei testimonium presentibus sigillum meum est appensum; hiis testibus Roberto Mawtalent, Waltero de Halyburtoun, Patricio Heryngh, Alano de Trebroune, Henrico de Hage et multis aliis. Nos vero huic donacioni et concessioni consencientes expresse dictam cartam in omnibus suis articulis approbamus et ratificamus ac ipsam, pro nobis et heredibus nostris et nostris assignatis, tenore presentis carte nostre inperpetuum confirmamus. In cuius rei testimonium presenti carte nostre sigillum nostrum apposuimus; hiis testibus, Dominis Dauid de Berkyllay domino de Brekhin, Willelmo de Leuyngstoun et Andrea de Douglas militibus, dominis Bullok tunc camerario Scocie et Ricardo Smal decano Glasguensi et Willelmo de Faireley et Jacobo del Sandyland. Datum apud Edinburgh vicesimo secundo die mensis Maii anno Domini Millesimo tricentesimo quadragesimo secundo.

125. Precept of Sasine by William, Earl of Douglas, etc., in favour of Fergus of Airth. 1366.

Willelmus Comes de Douglas dominus vallis de Ledel, Willelmo Mautalent balliuo nostre Regalitatis de Lawedre, salutem; Nos veredice intelleximus quod quondam dominus Hugo de Erthe, miles, pater Fergusii de Erthe obiit vestitus et saisitus vt de feodo de terris de Wormotistoun cum pertinenciis que de nobis tene[n]tur in capite infra balliam vestram, et quod dictus Fergusius est legitimus et propinquior heres eiusdem quondam domini Hugonis patris sui de eiisdem terris cum pertinenciis Vobis precipimus et mandamus quatinus dicto Fergusio vel actornatis suis saysinam hereditariam de omnibus terris predictis exhiberi faciatis, saluo iure cuilibet, visis presentibus indilate In cuius rei testimonium sigillum nostrum presentibus fecimus apponi. Datum apud Perht in festo beati Jacobi Apostoli [25 July] anno Domini millesimo ccc^{mo}lx^{mo}vi^{to}. The Earl's seal is attached, in a broken condition. A shield couché supported by a recumbent lion, bearing three stars in chief and a heart in base. Crest, on a helmet a plume of feathers. The legend is much defaced.

126. Precept by the same Earl in favour of Alan of Lauder in the same lands. 1366.

Willelmus comes de Dovglas, dominus wallis de Ledale ac regalitatis de Lawedir dilecto consanguineo nostro Willelmo de Lyndesay salutem; vobis precipimus et mandamus quatenus Alano de Lawedir et Alicie vxori sue coniunctim et eorum diucius viuenti vel actornatis suis saysinam hereditariam de integra terra de Wrmottistoun cum pertinenciis infra regalitatem nostram de Lawedir quamquidem terram Fergusius de Erth verus tenens noster eiusdem in manus nostras pure et simpliciter resignauit et per fustum et baculum sursum reddidit exhibere faciatis saluo iure cuiuslibet secundum tenorem carte nostre sibi inde confecte ad quod faciendum vobis nostram plenariam potestatem et speciale mandatum in officio veri balliui committimus per presentes. In cuius rei testimonium sigillum nostrum presentibus fecimus apponi. Datum

apud Edinburgh vicesimo octauo die mensis Julii anno Domini millesimo cccmolxvito. Seal wanting.

127. Discharge by Gilbert McLellan of Balmaclellan to Sir Archibald Douglas, Lord of Galloway. 1380.

Pateat vniuersis per presentes me Gilbertum McLellane dominum de Balmaclellane recepisse et plenarie habuisse per manus domini Douenaldi McIndoly Rectoris de Butyll nomine et ex parte domini mei domini Archebaldi de Douglas domini Galwydie quadraginta libras sterlingorum de residua et vltima solucione quibus idem dominus meus dominus Archebaldus de Douglas michi tenebatur pro resignacione terrarum mearum sibi facta, plenarie prout in carta sua michi per eundem dominum concessa et in meis euidenciis et resignacionibus sibi factis plenius declaratur et proportat; de quaquidem summa pecunie teneo me bene contentum et predictum dominum Archebaldum de dicta summa et de omnibus aliis oneribus michi qualitercunque propter hanc causam debitis quiete clamo per presentes imperpetuum pro me et heredibus meis In cuius rei testimonium sigillum meum presentibus est appensum. Datum apud Brintyll tercio die Januarii anno Domini millesimo cccmo octogesimo. [Seal wanting.]

128. Precept of Sasine by Archibald, Earl of Douglas, Lord of Galloway, directing David of Anand to infeft the Earl's kinsman, George of Douglas, Earl of Angus, in the barony of Corthaqhwy [Cortachy] in the sheriffdom of Forfar, in terms of a charter by the granter. Dated at Edinburgh, 12 July 1402. [This writ is much torn, part of it being altogether wanting.]

129. Charter by Archibald (fourth), Earl of Douglas, Lord of Galloway and Annandale, granting to his beloved Mr. Alexander of Carnys, Provost of Lyncloudane, for his good services, the lands of Gilcristiscleuch with pertinents lying in the barony of Crauford-John, and sheriffdom of Lanark; to be held to Mr. Alexander Carnys and his assignees, of the granter and his heirs, for payment of a penny of silver yearly in the parish church of Crauford-John, on the feast of St. John, if asked only, in lieu of all burdens. With clause of warrandice. Witnesses, James of Douglas, the granter's brother, William of Douglas of Nithsdale, the granter's nephew, William of Douglas of Drumlanrig, William Stewart of Castlemilk, William of Crauford, Thomas of Moray, knights. The Earl's seal is now detached from the writ, which is in a decayed condition, but is still preserved, bearing quarterly 1st and 4th three stars on a chief, and heart in base, for Douglas, 2nd and 3rd a crowned lion for Galloway, supporters two hairy savages.

Note.—There is also a charter, very much mutilated and decayed, by which the Earl's son Archibald, Earl of Wigton, confirms his father's grant to Mr. Alexander Carnys of the lands of Gilchrist's Cleuch. The date of the writ and names of the witnesses are wanting.

130. The following are notes or copies of charters, the originals of which had been seen by William (Douglas), third Duke of Hamilton, and noted or copied in his own hand or under his direction, but which are now not known to be extant, or on record.

(1.) "Memorandum (in the Duke's handwriting) out of old writs of the captain of Craford's. I find a chartour be David of Lyndesay, lord of Crauford to William of Cresseuyll of the lands of Grayns and Wedhalf of Crimcramp which his father Alexander had given before to Walter

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Logan, knight, and wer resigned in his hands be James Logan in favors of this William befor King David [the Second] William Bishope of St. Andrews William Earle of Sutherland Lord Edward of Keith, Marishall of Scotland and David of Berklay knight, at Monymell, 1345; which he gives bake to the said William of Cresseuyll at the same time for the service of ane archtennent (Archer) in the common ware of Scotland for six monthes and a suit at three head courts."

(2.) In this memorandum the Duke also notes that he had seen a charter by King Robert the Second, dated 1st December a.r. 19 [1389] confirming a charter by Sir James Lyndesay, lord of Crauford, the King's nephew, to John of Dalzell, knight, of the lands of the "Butheauz" in the barony of Crawford. Witnesses to the confirmation at Edinburgh, Patrick (*sic*) Walter and Matthew, Bishops of St. Andrews and Glasgow, John Earl of Carrick, and Robert Earl of Fife, etc., the King's sons, Archibald, Earl of Douglas, Sir James Douglas of Dalkeith and Sir Thomas Erskine, knights, John Gray, clerk register and keeper of the great seal.

(3.) A note of a charter by King Robert the Second, granting to Sir James Sandilands the barony of Dalyell and Motherwell, the barony of Wiston, in the sheriffdom of Lanark, with other lands in Stirlingshire, on his own resignation; to be holden to Sir James Sandilands and Johanna the King's daughter, whom, God willing, he is to take to wife, to the longer liver of them two, and their heirs, etc. of the King and his heirs, for ward, etc. Witnesses, William and John, Bishops of St. Andrews and Dunkeld, John, Earl of Carrick, etc. and Robert, Earl of Fife, etc., the King's sons, William [*sic* but read James] Earl of Douglas, the King's son-in-law, Archibald Douglas and Robert Erskine, knights; at Edinburgh 20th November, a.r. 14 [1384].

Note.—This charter is on record, but the witnesses are not given, and the date, which is important, is also wanting.

(4.) Copy of charter by King Robert the Third confirming a charter by the late King Robert the Second, given to the granter's brother-[in-law] John of Edmonstone, knight, and his spouse Isabella, Countess of Douglas, the King's sister, of the lands of Edynhame (Ednam) in the sheriffdom of Roxburgh. To be holden to John and Isabella, and the longer liver of them two, and their lawful heirs born and to be born, with the advowson of the church and hospital of the same, as fully expressed in the earlier charter, which however is not narrated, nor is the date given. Witnesses, Matthew and Gilbert, Bishops of Glasgow and Aberdeen, Robert, Earl of Fife, etc., the King's brother, Archibald, Earl of Douglas, lord of Galloway, Sir James Douglas of Dalkeith, Sir Thomas Erskine, knights, and Alexander Cockburn of Langton, keeper of the Great Seal. Edinburgh, 26 April, a.r. 3 [1392].

(5.) Imperfect copy of a writ indorsed by the Duke of Hamilton, "This is the copy of a writing the Laird of Rossayth (Rosyth) has, which I desire to see."

Noverint universi presentia visuri seu audituri quod ego Jacobus de Dowglas miles agnosco publice per presentes me unacum meis heredibus teneri et obligari famoso militi domino Roberto Stuart et suis heredibus decem Prutenicalis monete quas decem promitto sibi solvere hic in Dantzik super festum Pasche nunc proxime affuturum quod si non fecero ex tuto promitto in bona fide et honore nulla arma militis induere nisi cum illud fuerit cum suo favore. In huius rei testimonium sigillum meum presentibus est appensum. Datum Dantzik anno Domini millesimo trecentesimo.

Note.—This copy is made by a copyist who did not read the original quite correctly, and though the date here appears to be 1300, it is probably some time about 1389 to 1391, when Sir Robert Stewart of Durisdeer flourished, and at which date a number of Scottish knights were at Dantzic under the leadership of Sir William Douglas of Nithsdale, natural son of Archibald, third Earl of Douglas, and one of the most famous warriors of his day.

(6.) Copy Charter by King Robert the Second to Alexander Cockburn of Langton.

Robertus Dei gratia Rex Scotorum Omnibus probis hominibus suis ceterisque fidelibus ad quos presentes litere pervenerint, salutem; sciatis nos dedisse, concessisse et hac presenti carta nostra confirmasse dilecto armigero nostro Alexandro de Cockburne tres baronias cum pertinenciis viz.—Baroniam de Boltoun, baroniam de Caredyne et baroniam de Langtoun in liberam forestam et warennam et tenendrias ejusdem cum suis rectis metis et divisis . . . ac infra villam de Langtoun libere vendere et emere lanam et coria et omnia alia et singula quæ burgi pertinent libertati sicut infra baroniam cum cruce et foro de jure dinoscitur qualitercunque pertinere ita que quod dictus Alexander heredes vel assignati sui intersit vel intersint tres sectas capitales viz. sectam itineris justiciarie tente infra vicecomitatum de Berwick supra Tuedam, sectam itineris justiciarie tente apud Edinburgh et parliamentum nostrum tentum apud Sconam et quod dictus Alexander vel heredes sint principales hostiarii nostri ad nostra parliamenta generalia consilia et festa capiendo de nobis et successoribus nostris per dictum tempus liberationem pro duobus armigeris duobus architenentibus cum gladiferis et equis pertinentibus eisdem; Reddendo inde annuatim nobis et successoribus unum par calcarium deauratorum ad festum beati Johannis Baptiste nomine albefirme si petatur tantum pro omni alio servitio seculari warda relevio exactione seu demanda quæ de dictis baroniis et tenendriis eiusdem exigi poterit vel requiri; Volumus etiam et per presentes concedimus quod nullus serjandus nec officiarius qualiscunque intromittat se ad arestandum aliquem vel aliquos in dictis baroniis inhabitantem vel inhabitantes sine licentia domini vel officiarii dictarum baroniarum sub pena plenarie nostre forisfacture qui quidem legisciti et arestati expectabunt judicium atque legem sine aliqua replegiatione Insuper per presentes fideliter concedimus quod nullus manucapiat venari aucupari piscari vel aliquod transgressum facere intra bondas vel marchias dictarum baroniarum sine licentia domini sub pena decem librarum sine misericordia domini In cuius rei testimonium presenti carte nostre nostrum precepimus apponi sigillum testibus reverendo in Christo patre Waltero Dei gratia sedis Apostolice Cardinali, venerabili in Christo patre Johanne episcopo Dunkeldensi cancellario nostro, Johanne primogenito nostro de Carrick senescallo Scotiæ, Roberto de Fyfe et de Meneteith Jacobo de Douglas filiis nostris dilectis, comitibus; Archibaldo de Douglas domino Galwidie et Thoma de Erskine consanguineis nostris militibus apud Meffen [Methven] quinto decimo die Februarii anno regni nostri secundo.

Note.—The regnal year here given must be erroneous, as Bishop Wardlaw of Glasgow was created Cardinal only in 1381, the 11th year of King Robert the Second. The deed may be referred to a date between 1384 and 1387. The concluding clause, which is not here given, of the charter as copied, indicates that it was confirmed in Parliament at Scone on 8th March 1394 by King Robert the Third.

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(7.) Note of a charter granted by Archibald Earl of Douglas, lord of Galloway and Annandale, and the regality of Lauder, to John of Park for his service done and to be done, and to his spouse Jonet of Cheisholme, and to their heirs male, of the lands of Gilbertfield lying in the barony of Drumsargard and the regality of Lauder; To be holden for service used and wont. At the Castle of Bothwell; witnesses, Sir William Hay of Lochorwart, William Borthwick of that Ilk, William Stewart of Castlemilk, knights, Mr. Alexander Cairns, Provost of Lincluden, Matthew of Geddes and James of Hallsyde, parsons, ecclesiastics of the Blessed Mary of Forest and of Rivaulx; n.d., but probably about 1410. The Duke of Hamilton adds in a note that the seal of the Earl of Douglas was attached to the original quarterly; 1 and 4, 3 stars and a heart for Douglas, and 2 and 3, the crowned lion for Galloway.

(8.) Copy of a Charter by the fifth Earl, Archibald Earl of Douglas and of Longaville, lord of Annandale and Ettrick Forest, confirming a grant by Alan Stewart lord of Darnley made to Robert Dalyell of the Bracanrig and his heirs in fee and heritage, of the lands of Rylandside, along with another part of his lands of Elainton lying in the lordship of Elainton, the barony of Strathaven, and sheriffdom of Lanark; which grant the Earl duly ratifies in all points; At the Castle of Bothwell [20th May 1435], Thomas of Cranstoun lord of that Ilk, Robert of Crighton lord of Sanquhar, Master John of Ralston Rector of the church of Douglas, witnesses. A note states that the Earl's seal was attached to the original, bearing in the first quarter the fleurs-de-lis of France for the Duchy of Touraine, in the second quarter the arms of Douglas, in the third quarter the arms of Annandale, and in the fourth the arms of Galloway.

131. Charter by James, called "the Gross," seventh Earl of Douglas, to Euphame Countess of Douglas, c. 1440–1, the merely formal portions being omitted.

Omnibus hanc cartam visuris uel audituris Jacobus Comes de Dowglas et de Auandale, dominus Galwidie et vallis de Lawadre etc., salutem in Domino sempiternam: Sciatis nos cum consensu et assensu carissimi primogeniti nostri et heredis Willelmi de Dowglas militis dedisse concessisse et hac presenti carta nostra confirmasse carissime nepti nostre domine Eufamie Comitisse de Dowglas, domine de Bothuil pro toto tempore vite sue omnes et singulas terras nostras baronie de Drumsargart jacentes infra dominium et regalitatem nostram de Lawederdale et vicecomitatum de Lanark ac eciam omnes et singulas terras nostras baronie de Curmanok cum pertinenciis, jacentes infra vicecomitatum predictum, in excambium pro omnibus terciis suis infra regnum Scocie nobis traditis et concessis Tenendas et habendas omnes et singulas terras predictas cum pertinenciis dicte domine Eufamie nepti nostre in sanas integras et liberas baronias per omnes rectas metas et diuisas suas de nobis, heredibus et successoribus nostris in viis, etc. Adeo libere quiete plenarie integre honorifice bene et in pace in omnibus et per omnia sicut nos predictus Jacobus uel aliquis seu aliqua uel aliqui predecessorum nostrorum predictas terras et baronias . . . tenuimus seu possedimus tenuerunt seu possederunt, sine aliqua excepcione seu retenemento durante tempore vite neptis nostre predicte, salua nobis tamen heredibus et successoribus nostris aduocatione ecclesie de Cambuslang tantummodo infra baroniam predictam de Drumsergart quociens et quum vacare contigerit.

Reddendo inde annuatim predicta domina Eufamia neptis nostra pro toto tempore vite sue vt predicitur, nobis heredibus et successoribus nostris vnam rosam albam ad festum natiuitatis Sancti Johannis Baptiste apud capitalia messuagia predictarum terrarum nomine albe firme si petatur tantum . . . Et nos . . . omnes predictas terras et baronias . . . contra omnes mortales warantizabimus acquietabimus et durante tempore supradicto defendemus, non obstante talliacione nostra prius facta de predictis terris et baronia de Drumsargart In cuius rei testimonium sigillum nostrum vnacum sigillo predicti primogeniti heredis nostri huic presenti carte nostre est appensum apud Lanark; hiis testibus Reuerendo in Christo patre Roberto Episcopo Cathinensis Willelmo Domino de Someruyle Dominis Johanne de Maxwel de Caldorwod Johanne de Dunbar de Cumnok Jacobo de Auchinleck de eodem militibus; Magistris Jacobo Lindesai de Colbantoun Rectore de Arbuthno, Ade de Achinlek rectore de Glasgu, Thoma Weire de Blacwod et Thoma de Symontoun cum multis aliis. n.d. c. 1440–1.

The seals of the Earl and his son are still appended in good condition, the former bearing, quarterly; 1st and 4th, three stars on a chief with heart in base, for Douglas; the second quarter is defaced, but is probably identical with the third which shows the three stars, two and one, for Moray. Legend, "S. Jacobi de Douglas comitis Avandalie." The seal of William of Douglas bears quarterly, 1 and 4th Douglas; 2 and 3 Moray; with a label of three points. Legend, "Sigillum Wilelmi de Douglas, . . ." [the rest is illegible].

The charter is not dated, but must have been granted between the end of November 1440, when Earl James succeeded to the earldom of Douglas, and March 1440–41, about which date Euphamia Graham, Countess of Douglas, widow of the fifth Earl of Douglas, married Sir James Hamilton of Cadzow.

132. Charter by Sir James of Hamyltoun, knight, lord of Cadzow, granting to his kinsman or cousin James of Hamyltoun, son of the late Walter of Hamyltoun, for his faithful service done, and to be done during his whole life, to the granter, all and whole the lands of Roplache [Raploch] with the pertinents, in the barony of Machan, within the sheriffdom of Lanark; to be holden to James of Hamyltoun for all the time of his life, of the granter and his heirs, without any drawback, freely and quietly. No reddendo is stated. Clause of warrandice in usual form. Given at the Castle of Bothwell, 20 May 1441; witnesses, John of Hamyltoun and Gawin of Hamyltown, the granter's brothers, Arthur of Hamyltoun, William Balze, Alexander of Hamyltoun and Thomas of Hamyltoun of Nelysland. Seal wanting.

133. Instrument of Sasine, following upon a Crown charter [No. 16, ante] of the lands of the barony of Drumsargart in favour of James Lord Hamilton and his wife Eufamia, Countess of Douglas and lady of Bothwell. Sasine given by Laurence of Bourhyl, clerk or mayor in fee (maior infeodatus) of the sheriffdom of Lanark at the old castle of said barony, on 3rd November 1455; witnesses, Robert Hamilton of Fingaltoun, knight, John Hamilton of Kingshauch, Patrick Cleland and John Park, squires, and Sir George Graham vicar of Forest.

134. Letters under the seal of the Abbey of Calco [Kelso] by Richard Abbot of that monastery, with consent of his chapter, appointing James Lord Hamilton their bailie of their barony of Lesmahagow lying in the sheriffdom of Lanark, for the whole time of life of the said Lord

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Hamilton, with all the usual powers belonging to the office of bailie. Given at the monastery of Kelso 10th October 1456. [Portion of seal still attached.]

135. Paper writ, containing, apparently wholly in the handwriting of James, first Lord Hamilton, a precept of sasine to the Provost of the collegiate church of Hamilton.

Lyoun Cuthbertsone, I charge you that yhe gif the prowest ande the chapelains of the college of Hammiltoun ande to thar successouris beande for the tyme, stat ande possessioun of half a merk of annuell wythin my burgh of Hammiltoun to be tan yerly of Jhone Camberone and of his landis callit the Litstar lande for ane obet to be done perpetualy yerly for the saull of Sir Symone Blakwod vmquhill vicar of Symontoun the xii day of April. Gyffyn vnder my signet in Hammiltoun the 1 day of April the yer of God a thousande four hundreth sewynte ande aucht yeris. James lorde Hāmiltoñ. Signet still affixed.

A memorandum indorsed, records that sasine was given 3 April 1478; witnesses, Alexander Hamilton of Innerwick, William Cadzow and John Cameron.

136. Precept of Clare constat by Malise Earl of Menteith and lord of Kinpont, directed to Robert Grahame and Patrick Grahame as bailies, for infefting James Hamilton as heir of his father the late Sir James Hamilton knight and Lord of Hamilton, who died last vest and seised in the lands of Elastoun, lying in the Earl's lordship of Kinpont in the constabulary of Linlithgow, within the sheriffdom of Edinburgh. Dated at Edinburgh, 8th September 1482; witnesses Sir Patrick Grahame, Sir George Grahame, priests, Patrick Weddale, Robert Russell and Omer Browne.

This precept is extracted from an official transumpt of it made at Glasgow 21 April 1539, at the instance of James, second Earl of Arran, son of the original grantee. Among the witnesses to the transumpt are Arthur Hamilton Provost of the College Kirk of Hamilton, and John Hamilton vicar of Cragy, with other clerics.

137. Letters of Procuratory by Adam Douglas of Browncastell, appointing Robert Lyll, son and heir apparent of Robert lord Lyll, Peter Houstoun of that Ilk, John Stewart of Blackhall, William Conynghame of Craganys (Craigends), Robert Douglas the granter's son, and John Turnbull, to act as procurators for resigning the granter's lands of Browncastell, extending yearly to four merks of old extent or thereabouts, and the superiority of the lands of Shiels, lying in the barony of Kilbride within the sheriffdom of Lanark, into the hands of King James the Fourth, as Stewart of Scotland, lord superior of the lands, that the superiority may remain with him, etc. At the city of Glasgow, 14 January 1493–4. Signed "Adā Douglas de Brovncastell, etc."

138. Charter of Sale by John Thornnetoune heir of the late William Carnis burgess of Linlithgow, alienating to Sir Patrick Hamilton of Kincauyll, knight, that tenement lying in the burgh of Linlithgow on the south side of the High Street between the land of Thomas Hammiltoune on the west side, on one part, and the land of William Patersoune, and of the late John Saltoune on the east side, on the other part, to be holden to Sir Patrick Hamilton and his heirs from the granter and his heirs of the King in chief in fee and heritage, paying therefor ten silver pennies yearly to the King as burgh farm, and to other superiors the annual rents used and wont. With clause of warrandice; the granter also obliging himself and his heirs, if they make any dispute

as to the subjects, to pay a penalty, £20 Scots, to the church of St. Michael the Archangel, in Linlithgow, £20 to Sir Patrick Hamilton, and £20 to the King. The granter further swears on the gospels in presence of a bailie of the town to observe the conditions. At Linlithgow, 15th February 1499 [1500].

139. Assignation by James Hamilton, of Shawfield, in favour of his son and heir apparent James Hamilton, of an annual rent of eight merks for life, from the lands of Bathket (Bathgate) in the barony and sheriffdom of Renfrew; also granting to his son the mill of his lordship of Elyntoun in the barony of Strathavon and sheriffdom of Lanark; the said annual rent and mill to be holden of Matthew, Earl of Lennox and his heirs, rendering therefor the homage and service contained in an obligation by the granter made to the Earl. At Hamilton, —— 1501. Day and month blank. Seal attached, a hunting horn, stringed, between three cinquefoils. Legend illegible.

140. Precept of Sasine by James (second) Lord Hamilton, directed to William Hamilton of Candor, John Hamilton his son and apparent heir, and others, as bailies for infefting James Hamilton in Raploch, and Isabella Weir his spouse, in the granter's lands of Raploch, in the barony of Machan, within the sheriffdom of Lanark, in conjunct fee, in terms of a charter to them of said lands. At Hamilton, 10th June 1503. Witnesses, David Hamilton, Canon of Glasgow, James Hamilton of Shawfield, William Hamilton of Candor, James and John Hamilton, brothers natural of the granter, and others. Signed "James lord Hamylton." Portion of seal attached.

141. Precept of Sasine by Matthew, tenth Earl of Lennox, directed to James Chalmer of Gaitgirth, David Chalmer, Alan Dalzel and John Chalmer as bailies for infefting John Chalmer and Agnes Chalmer his spouse in conjunct fee, in the granter's lands of Rylands in the lordship of Strathavon and sheriffdom of Lanark, in terms of a charter to them by the Earl. At Inchinnan, 3 July 1508. Witnesses, James Chalmer of Gaitgirth, Adam Reid of Barskimming, John Muir of Auld-townburn, etc.

142. Charter by Matthew, tenth Earl of Lennox, granting to Alexander Lindsay, son of David Lindsay of Dunrod, and to Katherine Stewart his spouse, the longer liver of them two, and their heirs, the twenty-shilling land of old extent, of Halburne, and the thirteen shilling and four penny land of old extent of Foulhope, both in the barony of Strathavon in the sheriffdom of Lanark, these lands having been resigned by David Lindsay, in presence of Andrew Lord Avandale, Mr. Robert Maxwell rector of Torbolton, Alexander Stewart of Castlemilk, Charles Pollok of that Ilk, and others, in the chamber of the Archbishop of Glasgow in his lodging in Edinburgh: To be holden to the said Alexander and Katherine in fee and heritage for service due and wont. At Edinburgh, 21st January 1511–2. Seal attached, in good condition, bearing quarterly; 1st and 4th, three fleur-de-lis for Aubigny; 2nd and 3rd, a fess chequé within a bordure charged with eight buckles, for Stuart of Bonkil; on a surtout, a saltire cantoned with four roses for Lennox. Legend, "S. Mathei Steuart comitis de Lenox, domini Darnle."

143. Notarial instrument narrating that in terms of a charter granted by himself, Alexander Hamilton of Catcastell passed to the one-mark land of Wodland, and the half-merk land of Brownland, lying in the barony of Stanehouse and sheriffdom of Lanark, and there gave sasine

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of these lands with his own hands to James Wynzet, his heirs and assignees, in usual form. 29th January 1511–12. Witnesses, John Small, George Hamilton, James Scot, and Alexander Knox.

144. Letters of Reversion by John Hamilton, son and apparent heir of William Hamilton of Candor, and Euphemia Hamilton his spouse, in favour of James Hamilton of Shawfield, for the redemption of his fourteen-shilling lands of Strahill in the barony of Lesmahagow, tenement of Draffan, and sheriffdom of Lanark, mortgaged to the granters for forty-six merks; upon payment of which sum in the parish church of Hamilton, the granters will resign the lands. At Candour, 7th May 1512. William Hamilton of Candour, James Hamilton of Raploch, and others, witnesses.

145. Old copy of charter by John, Earl of Lennox, Lord Darnley, lord of the lands of Kype, granting and alienating to James Stewart of Twedy, the three merk six shilling and eight penny lands of Kype, then occupied by Oswald Hamilton, Alexander Atowne, Stephen Kype and Roland Stewart, in the barony of Avendale, sheriffdom of Lanark: To be held of the granter in fee and heritage for one penny yearly, blench duty, if asked. At Glasgow, 28 November 1520.

146. Letters of Reversion by Margaret Roull, narrating that the lands of Medhope in the sheriffdom of Linlithgow, had been apprised to her for the sum of £100 Scots, being half the value of the marriage of John Livingstone of Manerstoun, and that she had been infeft in the lands; and though the lands had not been redeemed within the term of seven years required by Act of Parliament, yet out of love and favour the granter binds herself to resign the lands, if payment of the £100 with expenses of infeftment be made within two years, otherwise the lands to remain with her. Edinburgh, 5 March, 1523–4. The lady because she herself could not write, procures the signature of her brother John Roull and his seal to be affixed to the document. Witnesses, Sir James Ramsay, prebendary of Corstorphin, John Roull, younger, and others.

147. Charter by King James the Fifth with consent of Queen [Margaret] his mother, confirming two charters:—(1.) A charter by the King with consent of John Duke of Albany, then his tutor and governor, of date 15 April 1522, granting to Sir James Hamilton, of Fynnart, knight, the barony of Cambusnethan and other lands in the sheriffdom of Lanark, which were in the King's hands through forfeiture of their former owner John Somerville of Cambusnethan. (2.) A charter (dated at Edinburgh — 1522) by Hugh, Lord Somerville, brother and heir of the late John, Lord Somerville, granting, in terms of a requisition from the King, the lands of Carswell in the sheriffdom of Lanark, also forfeited by the said John Somerville, to the said Sir James Hamilton. Both which charters are confirmed at Linlithgow, 25 September 1524.

148. Mutual renunciation in the form of a notarial instrument narrating that Sir James Hamilton of Finnart, knight, and James Livingstone, of Jerviswood, with James Livingstone his son and apparent heir, appeared together before the notary and witnesses, in the Collegiate Church of Hamilton, when Sir James Hamilton resigned all his rights to the 40/ land of Columbe in the barony of Carstairs and sheriffdom of Lanark, held by the Bishop of Glasgow, in favour of the younger James Livingstone, while the elder Livingstone resigned in favour of Sir James the lands of Gilmertown, with the charters and other evidents obtained by him from John Somerville of Cambusnethan. James

Livingstone, younger, also with consent of his father, agreed that Sir James Hamilton should have the marriage of his son and apparent heir, William Livingstone, Sir James giving a reasonable consideration therefor. Done 3rd December 1526. Witnesses, John Hamilton of Newton, Andrew Hamilton his son, James Nasmyth, and others.

149. Charter by Archibald (sixth) Earl of Angus, Lord Douglas, and baron of the barony of Bothwell, granting in consideration of a sum of money, to Sir James Hamilton, of Finnart, knight, the £80 land of old extent, of Bothwell, with the free royalty of the same, etc., in the sheriffdom of Lanark; To be holden in fee and heritage of the granter for blench farm. At Stirling, 29th October 1526. Signed, "Ard. Erl of Angus." This was followed by a Precept of sasine dated at Stirling, 21 October, 1529, but this date must be erroneous, as the Earl of Angus was then a fugitive in England. The precept was probably of same date as charter.

150. Lease by William [Douglas] Abbot of "the Abbay of the Holy-croce besid Edinburgh" [Holyrood], letting to James Menteith and Alexander Menteith, brothers, and the longer liver of the two, the lands of Eastern Salcotts, which James Menteith now has on lease, within the Abbey's barony of Kerse and sheriffdom of Stirling, for a term of nineteen years, at a rentall of twenty-one merks yearly. At the Abbey of Holyrood, 18 January 1527-8. Seal of Abbey attached, with signatures of "Wilzem̄ Douglas of Holyrudhous Abbot" and twenty members of his chapter.

151. Notarial instrument, narrating that in presence of the notary and witnesses, there compeared James, Earl of Arran [qui] "propter certas causas animum suum mouentes et tangentes ne preiudicium generetur innocenti, viz., suo heredi, narrauit qualiter et ob quam causam imposuit dominum Jacobum Hammylton de Fynnart militem in statum et saisinam dimedietatis omnium et singularum suarum terrarum infra regnum Scocie existencium, sibi et heredibus suis vltra dictam dimedietatem terrarum duabus mercatis aut viginti solidatis ad omen iuris reseruatis, eundem dominum Jacobum fauorabiliter requirendo quatinus omnes et singulas prefatas terras cum pertinenciis sibi prefato Jacobo comiti ac omne jus et clameum possessionem et proprietatem que et quas habuit seu habere poterit in et ad dictas terras cum suis pertinenciis resignaret extradonaret et deliberaret Quiquidem dominus Jacobus miles, ut filius obediens prefato Jacobo comiti suo patri non coactus aut compulsus nec blandiciis seductus ut asseruit sed ob paternam dilectionem sua mera et libera voluntate omnes et singulas predicte dimedietatis terrarum prescriptarum omne jus et clameum possessionem et proprietatem que et quas habuit seu habere poterit in et ad dictas terras cum suis pertinenciis pure et simpliciter in manibus prefati Jacobi comitis resignauit extradonauit et pro perpetuo deliberauit. Super quibus omnibus et singulis dictus Jacobus comes a me notario publico subscripto sibi inde fieri peciit vnum et plura publicum et publica instrumentum seu instrumenta Acta erant hec in camera prefati Jacobi comitis infra locum de Kynneill hora secunda post merediem uel eocirca; presentibus ibidem honorabilibus viris magistro [Arthuro] Hammylton preposito eiusdem, Gavino Hammylton de Haggis, Johanne Hammylton de Newton et Wilelmo Tailfeir cum diuersis aliis testibus ad premissa vocatis atque rogatis. Dated, 25 March 1529.

152. Charter by John Wauane, burgess of Linlithgow, and Elizabeth Paterson, his spouse, alienating, for a sum of money, to Sir James Hamilton of Finnart, knight, all and whole their yard or garden, lying

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in the said burgh of Linlithgow on the south side of the High Street, running from the south gable of their house, towards the east as far as the fosse or ditch of the said Sir James on the east side and so ascending as far as the east ditch of the garden of the late Sir Patrick Hamilton of Kincavil, knight, and the garden of the said Sir James on the south and the west sides, to be held of the King, in fee and heritage. Moreover, the granters warrant the land to Sir James Hamilton without annual rent, and assign the annual rent due from the garden to be uplifted from their principal tenement in warrandice of the rent of the garden. Dated at Linlithgow, 5th April 1531, witnesses James Robesone, Mr. John Knolles, bailies of the burgh of Linlithgow, James Hamilton of Kincavil, John Crummy, William Sandilands, laird of Hillhouse, and others. Three seals, the seal of the granter, the seal of the burgh, and that of one of the bailies, are appended to the writ, all in a broken condition.

153. Charter, without date, but probably granted about the same time as the preceding, by James Hamilton of Kincavil, son and heir of the late Sir Patrick Hamilton of Kincavil, knight, alienating, for a sum of money to Sir James Hamilton of Finnart, knight, all and whole that land or tenement back and front, with the garden of the same, as it is built, lying in the burgh of Linlithgow on the south side of the high street, between the tenement of land of James Saltown and John Wawane on the east side, with the garden of Alison Forest and the tenement of the late Henry Crechtoun on the west side. To be held of the King in fee and heritage for burgal service. At Linlithgow. Date and names of witnesses wanting. Signed by "James Hamylton of Kyncawyll" and by James Robbartson, one of the bailies of Linlithgow. Their seals are appended.

154. Notarial instrument narrating that John Lockhart of Bar assigned in favour of Sir James Hamilton of Finnart, for the sum of 100 merks, the casualties of ward and nonentry of the lands of Drumclog and Bruntsnab in the barony of Avendale and sheriffdom of Lanark in terms of the grant made to the granter's father, the late John Lockhart of Bar, by Andrew Lord Avandale. Done within the church of St. Giles, Edinburgh, on 7th August 1532; witnesses, George Ross of Haining, Luke Greenshiels of that Ilk, John Hamilton of Newton, and Sir Bartholomew Hamilton, chaplain. The seal of the official of St. Andrews in the Archdeanery of Lothian is appended, not in good condition. The upper part of the seal, which is a small oval, is defaced, but the shield is distinct, bearing arms similar to those of Archbishop Beton, namely quarterly, 1st and 4th a plain fess between three mascles, two and one, 2nd and 3rd a chevron. Legend, probably "[Sigillu]m Officialatus San[cti Andree]. This seal is little, if at all known.

155. Letter of obligation by James [third] Earl of Morton, acknowledging that Sir James Hamilton of Finnart had delivered to his keeping various writs and evidents, relating to the ward of the young James, Earl of Arran, his curatory, and his marriage with Margaret Douglas (daughter of the Earl of Morton), and the Earl binds himself if at any time these documents require to be produced before any judge, to present them accordingly. At Dalkeith, 1st October 1532. Signed "James Erll off Morton."

156. Charter by King James the Fifth, narrating that in the presence of the lords of Council, at Edinburgh, 30th August 1538, Mr. Hew Rig as procurator for Elizabeth Martyn, Lady Fastcastle, produced the charter under-noted, as the lady had been charged to produce it by Sir

James Hamilton of Finnart, who desired it to be recorded and an authentic copy to be given to those interested, as follows:—Omnibus hoc scriptum visuris uel audituris Johannes de Grahame, dominus de Torboltoun in Kile-Senescalli salutem in Domino sempiternam: Noueritis me dedisse concessisse et hac presenti carta mea confirmasse dilecto auunculo meo Henrico de Grahame et heredibus suis et suis assignatis omnes terras de Westirbyris cum pertinenciis infra baroniam de Abircorn vnacum molendino de Abircorn cum omnibus et singulis pertinenciis . . . cum libero introitu et exitu Tenendas et habendas omnes terras predictas de Westerbyris . . . predicto Henrico heredibus suis et suis assignatis de me et heredibus meis imperpetuum . . . Reddendo inde annuatim michi et heredibus meis vel meis assignatis vnum denarium argenti in festo Penthecostes pro omni seruicio . . . In cuius testimonium huic scripto sigillum meum apposui, hiis testibus domino Johanne Ranulphi comite Morauie, Dauid de Lindesay, domino de Craufurd, Willelmo Douglas domini de Kincauill, Dauid de Barclay militibus, Jacobo de Dundas, Johanne de Herth, Willelmo de Ferry ac multis aliis, this copy being duly confirmed under the quarter seal, at Edinburgh, 12th December 1539.

The charter by John Graham is not dated, but from the names of the witnesses it appears to have been granted about 1341.

157. Instrument narrating that in presence of the subscribing notary and others, an honourable dame, Mariota Lindsay, elder lady of Lyle renounced, under reservation of her own life rent right, in favour of her son, John Lord Lyle, the £10 lands of Shiels of Kilbride in the parish of Kilbride, and sheriffdom of Lanark. Done in the house of Buchquhan, Patrick Maxwell of Newark and others being witnesses, on 25 August 1539. [Another writ relating to the same lands is an instrument, by which a lease granted by the same Mariota Lindsay of the lands of Shiels (part of which were occupied by her brother, Alexander Lindsay) on 15th May 1535, was assigned in favour of Sir James Hamilton of Finnart, 18th September 1539.]

158. Notarial instrument narrating the appointment by King James the Fifth on his deathbed of tutors to his daughter.

In Dei nomine amen, per hoc presens publicum instrumentum cunctis pateat euidenter et sit notum quod anno Dominice incarnationis millesimo quingentesimo quadragesimo secundo mensis vero Decembris decimo quarto indictione prima pontificatus sanctissimi in Christo patris et domini nostri domini Pauli diuina prouidencia pape tertii anno nono In mei notarii publici et testium infrascriptorum presentiis personaliter constitutus excellentissimus princeps, Jacobus eo nomine quintus Scotorum Rex illustrissimus graui quandam corporis infirmitate tactus mentis tamen et rationis compos aduertens secumque mente reuoluens quod egritudinis vehementia corporalis solet mentem plerumque a rationis tramite intantum auertere vt nedum de temporalibus verum nec de seipso et de anima quispiam disponere seu prouidere non valet propter quod dum in mente est sobrietas et in corpore quies melius et salubrius vltime voluntatis indicium disponitur et ordinatur, Id circo serenissimus rex Jacobus eo nomine quintus antedictus premissa actendens et imprimis quoniam anima est pretiosior et melior corpore et rebus humanis animam suam ex nunc Deo et beate Marie virgini ac omnibus sanctis celestis hierarchie commendauit et demum inter alia cupiens huiusmodi sui regni Scotie cuius gubernacula in terris sub Deo jam diu tenuit quieti et tranquillitati prouidere et si eum de infirmitate qua nunc laborat decedere et ab hac luce migrare contingat de integritate prudentia dexteritate et circumspectione consanguinorum et fidelium suorum

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subditorum sequentium plurimum confisus et longa experientia edoctus ac ex certa sua scientia omnibus melioribus modo via forma jure causa pariter et effectu quibus melius tutius et efficatius de jure potuit et debuit seu fieri et esse possit fecit constituit creauit nominauit et solemniter ordinauit prout huius publici instrumenti serie presentisque sue vltime voluntatis tenore facit constituit creat nominat et solemniter ordinat predictum suum consanguineum Dauidem Betoun Sanctiandree cardinalem et archiepiscopum totius regni Scotie primatem, et charissimum eius fratrem Jacobum Morauie comitem, dilectos etiam consanguineos et consiliarios Georgium de Huntlie et Archbaldum de Argyle respectiue comites, tutores testamentarios charissime et legitime sue filie et heredis apparentis inter ipsum dominum regem et preexcellentem et splendidam principissam Mariam de Lotharingia, Scotie reginam suam coniugem modernam genite in minoritate annorum constitute ad eandem suam filiam eius durante minoritate et vsque dum legitimum deuenerit etatem eiusque jura causas res et negotia ac bona vniuersa et singula eidem filie sue spectantia et minoritate durante spectatura et spectare quomodolibet valentia necnon quantum in ipso fuit et prout de iure potuit ad regnum Scotie et illius libertatem jure et subditos eamdem durante minoritate moderandum et gubernandum ceteraque omnia alia et singula que ad officium tutorum testamentariorum ac que regnorum prouinciarum dominiorum ipsorumque subditorum gubernatoribus et protectoribus de jure vel consuetudine pertinere dinoscuntur et que necessaria fuerint seu oportuna faciendum agendum et ministrandum Super quibus omnibus et singulis prefatus reuerendissimus dominus Dauid Cardinalis pro se ac dictis suis contutoribus et con-gubernatoribus predictis a me notario publico subscripto sibi fieri petiit instrumentum publicum seu publica instrumenta Acta erant hec intra palacium de Falkland in cubiculo interiori domini regis anno, mense, die indictione et pontificatu quibus supra horam circiter septimam ante meridiem; Presentibus ibidem nobilibus prouidis et discretis viris Jacobo Lermontht de Dersy magistro hospicii Henrico Kemp de Thomastoun cubiculario, Magistro Michaele Durham doctore medico Johanne Tennent Willelmo Kirkcaldy filio et herede apparente Jacobi Kirkcaldy de Grange thesaurarii, dominis Michaele Disert preceptore loci Sancti Anthonii apud Leitht Johanne Jurdane rectore de Yethame Francisco Aikman aromatario Johanne Sincler Georgio Bard et domino Dauid Cristesone canonico Glasguensi cum diuersis aliis etc. Et Ego Henricus Balfour Dunkeldensis diocesis presbyter publicus apostolica autoritate notarius, quia suprascriptorum tutorum testamentariorum gubernatorum dationi et constitutioni ceterisque premissis interfui et in notam sumpsi; idcirco hoc instrumentum manu mea scriptum exinde confeci publicaui subscripsi et signaui in fidem robur et testimonium premissorum rogatus et requisitus.

Henricus Balfour notarius publicus.

This document is indorsed "Schir Henry Balfour instrument that was never notar," meaning that he was not acknowledged as a notary, the whole narrative of the writ being afterwards declared a forgery.

159. Letters under the privy seal of Mary Queen of Scots, granting to Gavin Hamilton, second son of James Earl of Arran, tutor and governor of the realm, and to the lawful heirs of his body, whom failing to John Hamilton, Gavin's brother-german and his heirs, whom failing to David Hamilton, their brother-german, his heirs and assignees, the ward of all lands, etc., annual rents, etc. (except the twelvemerk land of "Revoxis" upper and lower, otherwise disposed to Mr. Thomas Marjoribanks, burgess of Edinburgh), which belonged to the late

William Lord Herries, and now by his decease are in the hands of the Crown by reason of ward; granting also the marriage of the three daughters (names not given) of the late Lord Herries, etc., in usual form. At Edinburgh, 30th September 1543.

160. Receipt by James Kirkcaldy of the Grange, acknowledging that he had received from the Earl of Arran, Governor, by the hands of John Hamilton Abbot of Paisley "are grete lang chenne of gold, weyand sex pund wecht ten uncis, quhilk wes the kingis gracis quham God assolze, in wed [pledge] of the sowme of nyne hundreth five pund five schillingis in part of payment of the super expensis of my last comptis maid in the chakkir haldin in the Blak freris as the fut of my said compt beris and oblisis me to deliuer again to my lord gouvernour the said chenne quhowsone I am payt of the foirsaid sowme In witnes heirof I haue subscriuit this present wryting with my awin hand at Edinburcht the xx day of December the yeir of God 1^{m} v^{c} xliij yeris befoir thir witnes my lord of Paslay, Master James Forrester, Master George Forrester, the parson of Dysart, Master Dauid Balfour with wtheris diuerse. Jamis Kyrkcaldy of the Grãge."

161. Letters of Bailiary by Gavin [Dunbar] Archbishop of Glasgow, with consent of the Chapter, constituting and appointing James, Earl of Arran, Protector and Governor of Scotland, and his heirs to act as bailies and justices of all lands of the barony and regality of Glasgow for the term of nineteen years. With full power to hold Courts, etc., but forbidding the Earl to appoint or remove officers without consent of the Archbishop or his successors; the grant to become void, if the Earl should infringe it. At Glasgow, 1545. Signed by the Archbishop, and by the Dean for the Chapter. Two seals attached.

162. Notarial Instrument narrating that Sir Niel Montgomerie of Langshaw, knight, compeared before John [Hamilton], Bishop of Dunkeld, Treasurer of the kingdom and made the following renunciation in the vernacular "My lord thesaurar albeit that I haif the gift of the queins grace my lord gouernour and yow that is thesaurar of the ward of properte and tenandrie of the Erle of Eglyntouns landis conforme to my said gift maid to me thairupoun for certane sovmes of compositioun noucht-the-les I am content to renunce and presentlie renuncis in my lord gouernouris handis agane, all and haill the said ward bayth of properte and tenandrie with all profectis thairof and all that may follow thairupoun, to be frelie disponit be my lord gouernour, exceptand the keiping of the house and castell of Ardrossan and the manis thair of with thair profectis, for the quhilkis manis and profect I bynd and obliss me be thir presentis to hald my ken and freynd togidder and sall serf my lord gouernour with my self ken freyndis seruandis bayth in to the commoun effaris and in serving of the auctorite and siclik in my lord gouernouris graces effaris sa oft as I sal be requirit thairto." Upon which the treasurer asked instruments. Done in the lodging of the Governor in the city of Saint Andrews on the 27th September 1546. Mr. James Foulis of Colinton, Clerk register, and James Foster, vicar of Monkton and Kilpatrick, witnesses.

163. Obligation by Alexander Hamilton, narrating that forasmuch as his brother James Hamilton of Avandale had resigned to him all right and kindness in the £5 lands of Watstoun in the barony of Lesmahagow and sheriffdom of Lanark, yet he obliges himself if required, to give up the said lands to his brother James, with all writings thereupon. Done before a notary and witnesses at the altar

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of St. Thomas of Aquinas situated in the Collegiate Church of St. Giles, Edinburgh, on 27 January 1548–9.

164. Grant by John Hamilton Commendator of the Abbey of Arbroath, in favour of his father James Duke of Chatelherault of the ward and nonentries of the lands of Auld Cott-mure with the mill, lying in the regality of Arbroath and shire of Lanark, until the entry of the righteous heir to the lands. At Arbroath, 155–. Signed by the Commendator and twenty-one members of the convent. Seal attached. On one side the representation of the murder of Thomas-a-Becket, and on the other the Virgin seated, with the Child in her arms. [The year of date is blank, c. 1551–2].

165. Charter by James [Hamilton] Bishop of Lismore, granting in feu farm to James Duke of Chatelherault, Earl of Arran, etc., the fourmerk lands of Saddell, called the mains of Saddell, with other lands named, extending in all to forty-eight merks of land of old extent, in the sheriffdom of Tarbert and bounds of Kintyre; To be held in feu farm of the Bishop and his successors, for an augmented yearly feu duty of 49 merks. With office of keeper of the fortalice of Saddell, he being bound to receive the bishop and his successors when they visited it. At Dunoon, 16 May 1556. Signed by the bishop and various members of his Chapter, including Mr. John Carswell rector of Kilmartin, afterwards Bishop of the Isles. Bishop's round seal and the Chapter seal attached, in fair preservation.

There are several writs relating to the lands of Saddell in the Hamilton Charter Chest, which show that in June 1556, the Duke of Chatelherault granted the lands to James MacConneil of Dunaveg and Agnes Campbell his spouse, to be held blench, of the Duke, paying feu duty to the Bishop of Lismore, etc., who confirmed the grant. James MacConneil was succeeded in 1612 by his son Angus, who acknowledged James second Marquis of Hamilton as his superior. On 31 December 1633 James third Marquis (afterwards first Duke) of Hamilton, sold the lands to Archibald Lord Lorne, afterwards the famous Marquis of Argyll.

166. Commission by Mary Queen of Scots, appointing James Duke of Chatelherault, etc., Justiciary in that part, with full powers for administering justice upon James Weir *alias* "hornit Jame", Alexander Weir in Heiddes hill, James Weir in Gallowrig, Richard Weir his son, William Weir in Skorrieholme, James Fairservice in Kingour, Thomas Weir in Mauchtane-mure, Jonet Weir *alias* "hornit Jynne" and Walter Weir in Auchtefordell, accused of art and part of the cruel and unmerciful slaughter of the late John Porter. Given under the quarter-seal at Edinburgh, 17 July 1555.

167. Letters of Reversion by Dame Christian Bellenden prioress "of the place of the sisteris of the Senes vpoun the Borrowmure of Edinburght" (the Convent of the sisters of St. Catherine of Sienna) in favour of James Hamilton of Crawford-John, knight, for redemption of his lands of Manerstoun in the sheriffdom of Linlithgow, mortgaged by him to the convent for 1,000 merks Scots. Upon the payment of which sum on the high altar of the church of said convent "in gold and syluer efter following, that is to say, twenty sevin score gude crovnis of the sone of gold price of the pece twenty foure schillingis nynetene gude vnicornis of gold price of the pece twenty thre schillingis ane rydare of gold price thareof thretty schillingis ane crosat ducate of gold ane abbay crovn price of it twenty thre schillingis and the rest of the said soume in gude and vsuale money of Scotland haifand cours of payment for the

tyme," the Prioress binds herself and the convent to renounce and resign the lands in favour of Sir James Hamilton. Dated 31 July 1555. The following are the sisters whose signatures are upon the document, written by themselves or a notary.—Sister Christian Ballenden Prioress, Sister Elizabeth Napier, sub prioress, Sister Katherine Seton, Sister Elizabeth Herries, Sister Margaret Napier, Sister Agnes Napier, Sister Marion Crauford, Sister Isabel Cant, Sister Agnes Maxwell, Sister Jean Douglas, Sister Elizabeth Napier, Sister Katherine Nisbet.

168. Charter by James Hamilton of Crauford-john whereby in terms of a contract between himself on the one part and Cristina Hamilton heir of the late George Hamilton of Medhope with William Watson her spouse, on the other part, the granter with consent of his father-in-law John Cunningham of Caprinton, sells and alienates to the said Cristina and her spouse in conjunct fee, their heirs &c., an annual rent of £20 Scots from the lands of the nether town of Crauford-John in the barony of Crawford John and sheriffdom of Lanark; To be holden blench of the granter. At Edinburgh 10 March 1558-9. Witnesses William and Adam Cunningham sons of John Cunningham of Caprington, Kentigern Muir, and others. Signed by the parties, their seals being appended,—Hamilton's seal bearing the three cinque foils of Hamilton, while Cunningham's bears, quarterly, 1st and 4th a lion rampant, 2 and 3 a shake fork.

169. Letters of Acquittance by Master William Hamilton parson of Cambuslang obliging himself and his heirs to James Duke of Chatelherault etc., that forasmuch as James Earl of Arran (eldest son of the Duke) on 10th October 1559, had come to the "place of Daildowe, with certain wtheris his complices and servants and thair enterit in ane chalmyr of the said place sitwat vpone the north syde thairof quhilk was than occupyit and inhabit be me the said Maister William and I as than maide my actuale residence thair intill and thair the said . . . . lord spolieit and tuike furth of ane coffir or schryne of myne being in the said chalmyr five hundreth pundis money in gowld twa hundreth sewintene pundis in quhyte money, ane dosane siluer trunschewris, ane cowp with ane cover dowbill ourgilt with gowld, and ane lawar of siluer with hech strowpis, twa siluer masaris ane of thame gilt the vther vngilt, ane siluer pece twa gowld ringis twenty foure siluer spwnes ane saltfat of syluer with ane cover" and because the granter has received an equivalent for his loss, first, in an annual rent of 100 merks yearly to be uplifted from the £5 lands of Elistoun, and also from the said Duke on behalf of his son, the whole rest of the sum of money and silver work taken, so that he is sufficiently recompensed, the granter therefore renounces all action he had raised against the Earl of Arran, William Baillie of Lamington, John Crawford of Rouchtsalloych, John Hamilton of Ormistoun, James Hamilton of Haggs, or others, for the sums taken, which he now fully discharges. With clause of warrandice. At Glasgow, 12 January 1559–60; witnesses Gavin [Hamilton] Commendator of Kilwinning, Andrew Hamilton of Cochno, and captain of Dumbarton, with others. Signed "Master Williame Hāyltŏn psone of Cambuslang." Seal attached, three cinque foils. Legend, "S.M. Vilelmi Hammiltone."

170. Receipt by James, [Hamilton] bishop of Argyll in favour of James Makconell of Dunaveg and Glens, for the sum of £130 8/ Scots in complete payment of "kirkis and quarter kirkis of Kyntyre" due at Martinmas 1561, and the "seingzie" term of 1562. At Glasgow, 21 October 1562. Signed "James bischop of Argyll."

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171. Letters of Horning at the instance of John Lord Hamilton, duly executed against Sir James Hamilton of Crawford-John, knight, and James Hamilton of Liberton his son for not removing themselves and servants from the lands of Draffan, and castle thereof in the barony of Lesmahagow, belonging to James Earl of Arran, and to his tutor John Lord Hamilton. In the letters the king narrates that he had lately accepted under his peace and safeguard John Lord Hamilton, Archibald Earl of Angus, John Earl of Mar, Mr. Thomas Lyon of Baldukie, Master of Glamis, and others their adherents, that they should possess their former lands and holdings, etc., in terms of an Act of Parliament at Stirling, 4th November 1585; that John Lord Hamilton was, before the troubles began, as tutor to his brother James Earl of Arran, in possession of the lordship of Hamilton, earldom of Arran, the baronies of Machanshire, Cambuslang, Cormanok, Bothwell-moor, Kinneil, Carriden, Kerse, Lesmahagow and Draffan, and was dispossessed thereof by a pretended process, which is now declared null; that he ought to be repossessed of these lands from which James Stewart called Earl of Arran, Harry Stewart his brother, Andrew Lord Stewart of Ochiltree, John Stewart of Bute, Sir James Hamilton of Crawford-John, knight, and James Hamilton his son, the pretended possessors will in no wise remove, nor suffer John Lord Hamilton to enter; Wherefore the King commands his sheriffs to pass, and in due form to charge the parties named to remove from the lands. At Linlithgow, 19 November 1585.

Upon the 23 November 1585, in terms of the above, 200 sheep, 30 cows, ten oxen, and six horses and mares were arrested on the mains of Craignethan, with eight stacks of corn and bear on the lands; there were also arrested the rents and duties of the lands of Draffan, both places lying in the barony of Lesmahagow. On 24th November, Sir James Hamilton and his son James were personally charged to remove from the lands, and on the 11th December 1585, they were put to the horn and their goods declared forfeit, for disobedience.

172. Letters of Factory by David Collace of Auchinfairsyth principal tacksman of the whole lands, kirks, teinds, fruits, rents and emoluments of the Abbacy and cell of Lesmahagow constituting and appointing James Hamilton of Libertoun his factor and receiver, and intromitter with the teind sheaves of the year 1586, over the lands of Crossford under the bank, Over Auchinhaith, Auchtigammill, Slaboddom, Auchlochan, Stockbrigs, Cummerhead, Betuix the waters, Scorriholm, Clennocks, Garrelwood, Welburn, Muirsland, Bordland, Dovan, Auchnotro, Waterside, Whiteside, Middleholm, Blackwood, Priorhill, Chapel-land, Langlards, Auchtule, Drumbrexhill, Skellyhill, and Bog, lying in the parish of Lesmahagow and sheriffdom of Lanark; with full powers to deal with tenants and occupiers, and uplift the teind-sheaves, grant discharges, etc. Edinburgh, 1st August 1586.

173. Contract between John Lord Hamilton Tutor of Arran on one part, and John Hamilton younger of Woodhall, as principal, with William Livingston younger of Kilsyth and David Forsyth of Dykes, as his cautioners, on the other part, to the effect that Lord Hamilton appoints John Hamilton captain and keeper of his castle of Brodick in Arran, and all his lands of the isle of Arran in the sheriffdom of Bute, for the space of one year from "Alhallowmes" (1st November) last past, and thereafter during Lord Hamilton's pleasure. Lord Hamilton assigns and grants to the Captain for his service during his term of office the mains of Brodick, with the corn-mill, multures, etc.; the mains of King's cross; the mains of Latter, and the mains called

Glenschanttis, Over, and Nether; the corn-mill of Kilbride, together with the bailiary of the whole lands of the isle of Arran; all to be enjoyed by the said John Hamilton, he paying yearly therefor, for the said mainses the maills, hunting, kine, marts and other duties formerly payable by the Captains of Arran. Lord Hamilton shall lay in or cause lay in to the castle of Brodick between Yule and Candlemas next 8 bolls bear for the rents of the mains for crop 1593, 14 bolls meal for the rents of the two mills, 12 bolls meal for the mains of King's cross, 12 bolls meal for the mains of Latter, and five bolls 3 firlots for the mains of Glenschanttis, all of same crop, as maintenance for the captain and his servants in the castle, for the first year; he shall also lay in 20 bolls bear and 12 bolls meal between the said feasts in this present year, and so forth yearly, during the Captain's term of office. He shall also lay in to the castle weekly during that time four pecks meal for supporting two night-watches. In return the Captain shall diligently keep and defend the castle of Brodick, and the whole isle of Arran, and the tenants and occupiers from all "reif" and oppression, and shall cause the rents and duties to be paid to Lord Hamilton. The latter shall further deliver to the captain at Beltane [1st May, or perhaps put for Whitsunday] twelve tidy cows, to be upon the mains of Brodick, in steelbow, and to be forthcoming at the Captain's departure. Further the Captain shall receive from Lord Hamilton's servants "twentie four hoigsheids of burdeous bind [1] yeirlie at Lambes dureing the tyme of his said office, at the brig of Glesgow with sex bollis greit salt sex bollis small salt and sall caus pas thairwith to the loches quhair the herring happinis to be tane and thair sall pact the said twentie four treis [barrels] with herring and thair efter sall send thame yeirlie betwixt Michaelmes and Mertimes in my said lordis awin bote to the brig of Glesgow, for the quhilkis the said noble lord sall pay yeirlie to the said Johnne at the resait of the said herring according to the prices as the herring pakeris payes yeirlie in the loches quhair the herring ar slane." Provision is made for the advance of a sum of money by Lord Hamilton with £100 Scots for buying the barrels. Further provisions relate to the Captain's removing from the castle, when he shall deliver up the furnishings and ammunition according to inventory, and shall remove when required under a penalty of £6,600 Scots; but should he wish to resign, Lord Hamilton is bound to accept his resignation, under penalty of paying the Captain 40 bolls of meal and 40 bolls of bear over and above the ordinary allowance; etc, with clause of registration. Signed by the parties at Hamilton 29th November 1593; witnesses Sir James Maxwell of Calderwood, knight, James Muirhead of Lauchope, and others.

174. Extract decree by the Lords Auditors of Exchequer in reference to the petition presented to them by John Lord Hamilton sheriff-principal of the sheriffdom of Lanark, Sir John Hamilton of Lethrick, knight, John Hamilton, parson of Crawford-John deputes thereof for the time and John Robertson clerk of the same, stating that they had been denounced as rebels and put to the horn because part of the taxation of £100,000 Scots granted for support of the prince's (Prince Henry's) baptism remained unpaid by the petitioners from the tax imposed upon the temporal lands within the sheriffdom of Lanark; that the petitioners had been charged to appear before the lords of exchequer to make count

[1] "Bind" means size or capacity; "burdeous bind" probably means barrels of a size used at Bordeaux, *i.e.*, empty casks of a certain calibre.

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and reckoning of the whole tax for the sheriffdom, when it was found they were justly owing the sum of £700 Scots, which the lords assigned to be paid to Patrick Rannald, master baker, and to William Craig master brewer, both to the king; that the petitioners had given to these persons a sufficient security for the sum due and for payment, which was attested by Patrick and William in person, and they therefore requested the lords of exchequer should declare the petitioners to have satisfied for the amount due, and be no further troubled; which petition the lords auditors gave effect to, declaring in addition as to the £1000 Scots still owing by the king to the master baker and brewer, that they will see it paid "as occasioun sall reddiest offer." At Edinburgh, 26 July 1598.

Edinburgh, 32, Castle Street,
15th November 1887.

WILLIAM FRASER.

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LONDON: Printed by EYRE and SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty.
For Her Majesty's Stationery Office.

HISTORICAL MANUSCRIPTS COMMISSION.

ELEVENTH REPORT, APPENDIX, PART VI.

THE

MANUSCRIPTS

OF THE

DUKE OF HAMILTON, K.T.

Presented to both Houses of Parliament by Command of Her Majesty.

LONDON:

PRINTED FOR HER MAJESTY'S STATIONERY OFFICE,
BY EYRE AND SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.

And to be purchased, either directly or through any Bookseller, from
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1887.

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